The City Council of the City of Raleigh met in regular session on Tuesday, June 5, 1984, in the City Council Chamber of the Municipal Building, 222 West Hargett Street, with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congelton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and invocation was rendered by the Reverend C. Cyril Burke, Chaplain at St. Augustine College, after which the following matters were discussed with action taken as shown.

SPECIAL ITEMS

PROCLAMATION - NATIONAL PARKS AND RECREATION MONTH - PROCLAIMED

Mayor Upchurch read a proclamation proclaiming the month of June as National Parks and Recreation Month in the City of Raleigh. The proclamation was received by Mrs. Cates, City Council Liaison to the Parks and Recreation Advisory Board.

TORNADO VICTIMS - INFORMATION RECEIVED

Mayor Upchurch indicated during recent months a tornado struck in eastern North Carolina and the City of Raleigh wrote to all towns affected by the tornado offering the City's help. He indicated Red Springs replied that they needed help from the City. He pointed out the employees of the City contributed $1,020 which was sent to the Mayor of Red Springs to use as they saw fit. He indicated on behalf of the City Council he would like to publicly commend the City Manager and the entire staff for their efforts in collecting for the Town of Red Springs and also those employees who volunteered to go down and provide assistance. Mr. Keller moved that the City Council go on public record as expressing appreciation to the City employees for their warm outreach to the Town of Red Springs. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted and requested the City Manager to convey this information to all City employees.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. He indicated if a Councillor requested discussion on an item, the item will be removed from the Consent Agenda and considered separately. He explained the vote on the Consent Agenda would be a roll call vote. Mrs. Cates requested that the change order relating to the audio visual contract for the Municipal Building be withdrawn. Ms. Block requested that the Comprehensive Housing Study item be withdrawn. Ms. Babb requested that the recommendation relative to no parking on Front Street be withdrawn. Mr. Calloway requested that the grant application - Young Volunteers In Action be withdrawn. Without objection these items were withdrawn from the Consent Agenda. Mr. Congleton moved administration's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

PRIVILEGE LICENSE APPLICATIONS - APPROVED

This is an application for a masseuse license requiring City Council approval under City Code Section 12-2136. The applicant's name is Diane Ursone. She will conduct her business at "Theotechnia," located at 3901 Barrett Drive. The Police report indicates approval.

Recommendation: Administration recommends approval of this privilege license application.

This is a privilege license application for "Holiday Inn-Downtown," located at 320 Hillsborough Street. The manager, Jay Rodi, is the individual making application. City Code Sections 2-2032(2), (3), (5), and 12-2118(3) require City Council approval before a license may be issued for a dance hall, public club with live entertainment, classified as a class two entertainment center. The Police and Inspections reports indicate approval.

Recommendation: Administration recommends approval of this privilege license application. Consent Agenda approval: Congleton/Babb - 8 ayes.

RENTAL REHABILITATION HOUSING PROGRAM - PUBLIC HEARING AUTHORIZED FOR JUNE 19, 1984

Raleigh is entitled to receive a total of $137,500 from the U. S. Department of Housing and Urban Development for the Rental Rehabilitation Program. A public hearing, although not required, would be appropriate prior to sending in a program description by the deadline of July 9, 1984.

The Rental Rehabilitation Program's purpose is to increase the supply of standard rental housing which is affordable to lower-income families, by making money available to rehabilitate existing privately owned residential property.

Subsequent to the public hearing, Administration would develop a program description for Council approval and submittal to HUD by July 9, 1984.

Recommendation: It is recommended that the public hearing be held on June 19, 1984. Consent Agenda approval: Congleton/Babb - 8 ayes.

STREET CLOSING - OAKVIEW COURT - RESOLUTION OF INTENT ADOPTED

The Raleigh City Council has been petitioned to close the unimproved northern extension of Oakview Court. The subject street is located on the north side of Banks Street as shown on the map in the Council Members' Agenda packets. Also enclosed was a copy of the petition and a description of the right-of-way requested to be closed.

No adverse comments have been received from the reviewing agencies concerning the closing of the subject right-of-way.

Recommendation: It is recommended that the City Council adopt a resolution of intent to close the right-of-way and set a date for a public hearing on this matter. Consent Agenda approval: Congleton/Babb - 8 ayes.

RESOLUTION NO. (1984) 532

A RESOLUTION OF INTENT TO CONSIDER CLOSING THE UNIMPROVED NORTHERN EXTENSION OF OAKVIEW COURT RIGHT-OF-WAY AS DESCRIBED HEREIN AND DIRECTING NOTICE OF PUBLIC HEARING

WHEREAS, the City Council of the City of Raleigh, North Carolina, pursuant to North Carolina General Statute 160A-299, intends to close permanently the following street right-of-way:

> The abandoned extension of Oakview Court, on the northern side of Banks Street, is 50' wide by approximately 135' deep. This street right-of-way property is bounded by Lot 366 as well as Lot 365 on the western side and Lots 436 and 437 on the northern side.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the section of the street referred to above is intended to be closed permanently.

Section 2. That a public hearing will be held on Tuesday, August 7, 1984, in the Council Chamber, Room 201, Municipal Building, Raleigh, North Carolina, at 7:00 p.m., or as soon thereafter as the matter can be reached.

Section 3. That a copy of this resolution be mailed by certified mail to all owners of lots abutting on the above named street.

Section 4. That a copy of this resolution be published in a daily newspaper in the City of Raleigh once a week for four consecutive weeks.

RALEIGH LITTLE THEATRE - BOARD OF DIRECTORS - CONFIRMED

Pursuant to the lease agreement with Raleigh Little Theatre, Inc., the City Council shall have the opportunity to confirm or reject the nominations for the Board of Directors. On May 11, 1984, the following nominees for the 1984-85 Board of Directors were submitted:

President-Elect	-	Marion Johnson
1st Vice Pres.	-	Colin Brown
2nd Vice Pres.	-	Jim Walker
3rd Vice Pres.	-	Dorothea Bitler
4th Vice Pres.	-	Mike Bolton
Secretary	-	Velvet Parsons
Treasurer	-	Maylon Little
Attorney	-	Sam Leager
Theater Sponsor	-	Sue Tucker Briggs
Civic Sponsor	-	Mary Cates
Members-at-Large	-	Nancy Hinton
		Lola Renfrow
		Lynn Anchors-Hurder
		Currie Leslie
		James S. Staton

Recommendation: It would be appropriate for the Council to consider and confirm the nominations to the Board of Directors for the Raleigh Little Theatre. Consent Agenda approval: Congleton/Babb - 8 ayes.

TOPOGRAPHIC MAP CONTRACT WITH GREENHORNE AND O'MARA - CONTRACT DATE EXTENDED

The City currently has a topographic mapping contract with Greenhorne & O'Mara which has a completion date of June 30, 1984. Extenuating circumstances result in a request for an extension of time to complete the project.

Recommendation: It is recommended that the Council approve a 30-day extension for this project. No additional funds are required. Consent Agenda approval: Congleton/Babb - 8 ayes.

NEW BERN PLACE - DESIGN SERVICES - CONTRACT WITH DOCKERY HUNTER REYNOLDS JEWELL, P.A. - APPROVED

The process for the New Bern Place residential project calls for the City to design and build certain public improvements around the site in close cooperation with the developer. The City was to negotiate for design services with the developer directly or with the developer's design team.

Since selecting Martin Development Group, Inc., as the developer of the residential site, the Staff has negotiated with their landscape architect, Dockery Hunter Reynolds Jewell, P.A. An agreement has been reached for services not to exceed $13,000 for the design and construction supervision of the public areas. The source of funds are Community Development ($3,000) and land sale earnest money ($10,000).

Recommendation: It is recommended that the Council approve the design contract and the appropriate transfer of funds. Consent Agenda approval: Congleton/Babb - 8 ayes.

ORDINANCE NO. (1984) 354

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget be amended as follows to place into expenditure account funds donated for restoration of carousel:

Revenue:	37-1-0070-0200	Misc. Income	$100.00
Expense:	37-2-300-0192	Carousel Restoration	$100.00

Section 2. That the 1983/1984 Budget be amended as follows to establish an account for purchasing uniforms for youth baseball teams:

Revenue:	19-1-8450-0001	Fees	$3,500.00
Expense:	19-2-8450-0243	Uniforms	$3,500.00

Section 3. That the 1983/1984 Budget be amended as follows to reflect the fact that transit system revenues are greater than budgeted and to reflect this in the expenditure account where these funds are returned to the system to cover operating expenses:

Revenue:	42-1-8000-0104	Charter Revenue	$125,000.00
	42-1-8000-0106	Misc. Transit Revenue	75,000.00
Expense:	42-2-9010-0500	Transit Expense	$200,000.00

Section 4. That the 1983/1984 Budget be amended as follows to receive contributions and to allow for expenditures of these funds for Appearance Commission projects:

Revenue:	19-1-2500-0001	App. Comm. Contrib.	$2,250.00
Expense:	19-2-2500-0000	Appear. Comm. Expenditures	
	19-2-2500-0265	Landscaping Mater. & Ser.	$2,250.00

Section 5. That the 1983/1984 Budget be amended as follows to provide funds for Rainwater Drive:

Revenue:	32-1-0090-0220	Carryover Reserve	$49,942.00
Expense:	32-2-5035-0100	Rainwater Drive	$49,942.00

Section 6. That the 1983/1984 Budget be amended as follows to provide funds for New Bern Place public improvement design:

Revenue:	43-1-5000-0101	Program Income	$13,000.00
Expense:	43-2-5051-0103	Design Service/NBP	$13,000.00

WATER AND SEWER SERVICE CHARGES - NO CHANGE FOR FY '84 - '85

Each year, the City reviews the fixed fee charges for standard size water and sewer services. During the FY 82-83 period, the costs to the City greatly exceeded the fees. For the period July 1, 1983, to March 31, 1984, the fees exceeded the costs.

It is projected that the City should be able to maintain costs which will be met by the current fee schedule.

Recommendation: It is recommended that the fee schedule for standard size water and sewer services remain unchanged for FY 84-85. Consent Agenda approval: Congleton/Babb - 8 ayes.

PUBLIC NUISANCE CONFIRMATION - 2821 WILCOX PLACE - INTEREST RELIEVED

The above listed account was confirmed in the name of Carolina Model Home Corporation on January 20, 1981. At that time, there was a foreclosure proceeding in progress which resulted in Mr. John W. Walker and Mr. George R. Walker acquiring this property. Since the title search had already been done for the foreclosure proceeding, this account was not included as part of the foreclosure and, in fact, remained in the name of Carolina Model Home Corporation until recently. The Walkers have submitted a check for principal and interest but have requested that the interest be waived as the problems that occurred were not within their realm to correct.

Recommendation: It is recommended that the interest received in the amount of $34.53 be relieved and refunded due to the unusual circumstances of this account. (The assessment cost is $170.14.) Consent Agenda approval: Congleton/Babb - 8 ayes.

AUDIT CONTRACT - AWARDED TO McGLADREY, HENDRICKSON AND PULLEN

In March 1982, the Council authorized the City to contract for auditing services on a five year contractual basis. The firm of A. M. Pullen & Company was awarded the contract based on a "not to exceed" fee schedule for the years 1982-86. Separate fees were quoted for the regular audit engagement and the special work done on the UMTA - Attachment P funds. The working relationship with the audit firm continues to be strong, and professional advice on City accounting matters is often offered without regard to additional costs during each year. In accordance with the aforementioned contract, it is requested that approval be given for the current year audit contract for $39,600 which covers the regular audit and $2,000 for the UMTA audit. It is noted that the company name has changed from A. M. Pullen & Company to McGladrey, Hendrickson & Pullen which reflects their merger effective this year.

Recommendation: It is recommended that Council approve the annual audit contract. Consent Agenda approval: Congleton/Babb - 8 ayes.

BIDS - WATER TREATMENT PLANT - BID AWARDED TO PARKSON CORPORATION; CHANGE ORDERS WITH BRYANT DURHAM ELECTRIC COMPANY AND ROBERTS FILTER MANUFACTURING COMPANY - APPROVED - FUNDS APPROPRIATED

Bids have been solicited for the provision of a belt filter press at the E. M. Johnson Water Treatment Plant. This unit is part of the sludge dewatering process. The first solicitation resulted in insufficient bids. The bids were solicited a second time. One qualified bid was received from Parkson Corporation in the amount of $177,926. The City's consulting engineer for the plant expansion project, Olsen Associates, recommends that the City accept this bid.

Recommendation: It is recommended that the Council approve the bid of Parkson Corporation in the amount of $177,926 and approve the following transfer of funds:

From:		
84-2-1060-0110	Belt Filter Reserve - Water Fund	$185,000.00
To:		
84-2-1060-0111	EMJ Belt Press #2 - Water Fund	$177,926.00
84-2-1060-0000	EMJ - Exp. - Water Bond	7,074.00
		$185,000.00

It is further recommended that the following contract change orders be approved for the electrical and installation work associated with this unit.

Electrical - Bryant-Durham Electric Company
add $12,805.00

Filter-Mechanical - Roberts Filter Mfg. Company
add $36,478.00

It is further recommended that the appropriate budgetary transfers within the Water Bond Fund be approved for these change orders.

From:		
84-2-1060-0000	E. M.Johnson Expansion	$12,805.00
To:		
84-2-1060-0201	EMJ - Electrical	$12,805.00

From:		
84-2-1060-0000	E. M. Johnson Expansion	$36,478.00

To:
84-2-1060-0501 Filter Mechanical $36,478.00

Consent Agenda approval: Congleton/Babb - 8 ayes.

RALEIGH/DURHAM AIRPORT AUTHORITY - LAND TRANSACTION - CITY COUNCIL CONCURS

The Airport Authority requests concurrence with a proposal to exchange property with CP&L to provide an area for a relocated transmission substation.

A letter and map was included in Council Members' Agenda packets.

Recommendation: It is recommended that the Council concur with this property transaction. Consent Agenda approval: Congleton/Babb - 8 ayes.

TAXICAB FRANCHISE - CHANGE OF OWNERSHIP - APPROVED ON SECOND AND FINAL READING

During the May 15, 1984 Council Meeting, the City Council approved, on the first reading, a change of ownership in which Loman W. Murray, Jr. was selling his company to Apollo O. Ombajo who will operate under the same name of American Cab Company. It would be appropriated for the Council to consider this change of ownership on a second and final reading and Administration recommends approval. Consent Agenda approval: Congleton/Babb - 8 ayes.

BUDGET AMENDMENT - PARKS AND RECREATION AND TRANSPORTATION - ORDINANCE ADOPTED

The Agenda presented a budget amendment in the amount of $100 to place into an Expenditure Account, funds donated for restoration of the carousel. The Agenda also presented a $3,500 budget amendment to establish an account for purchasing uniforms for youth baseball teams. It was understood that local businesses are making contributions to the City for this purpose. A third budget amendment was in the Department of Transportation in the amount of $200,000 to reflect the fact that transit system revenues are greater than budgeted and to reflect this in the Expenditure Account where these funds are returned to the system to cover the operating expenses. Administration recommends approval of the three budget amendments as outlined. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 354.

CONDEMNATION - C. D. BAUCOM, HEIRS - APPROVED - RESOLUTION ADOPTED

The Agenda indicated efforts have been unsuccessful to obtain needed right-of-way as it relates to the right of the southside lane on Downtown Boulevard between Fenton Street and Crabtree Boulevard as it relates to the C. D. Baucom, Heirs. This right-of-way is needed in the Atlantic Avenue 30-inch water main relocation. Administration recommends a resolution of condemnation be authorized. Consent Agenda approval: Congelton/Babb - 8 ayes. See Resolution 533.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Consent Members received in their Agenda packet a list of Administrative transfers which have been approved according to Council policy. Concurrence with the Manager's action is recommended. Consent Agenda approval: Congleton/Babb - 8 ayes. The transfers were as follows:

	Account Number	Amount
From	01-2-1130-0221	$200.00
To	01-2-1130-0265	200.00
From	18-2-0700-0700	100.00
From	18-2-0700-0600	49.00
From	18-2-0700-0227	150.00
To	18-2-0700-0260	299.00
From	01-2-5060-0617	33.00
From	01-2-5060-0618	6.77
From	01-2-5060-0619	7.41
To	01-2-5060-0282	47.18
From	01-2-5060-0702	6.19
From	01-2-5060-0712	49.80
From	01-2-5060-0735	10.56
To	01-2-5060-0282	66.55
From	01-2-4010-0226	150.00
To	01-2-4010-0260	150.00
From	01-2-5020-0611	371.25
To	01-2-5020-0616	371.25
From	19-2-8030-0100	950.00
To	19-2-8030-0101	950.00
From	01-2-5060-0605	18.91
From	01-2-5060-0607	39.00
From	01-2-5060-0612	52.00
To	01-2-5060-0282	109.91
From	01-2-1230-0281	275.00
To	01-2-1230-0730	275.00
From	01-2-1120-0240	354.54
To	01-2-1120-0100	354.54
From	01-2-3080-0702	80.00
To	01-2-3080-0226	80.00
From	01-2-3080-0221	20.00
To	01-2-3080-0260	20.00
From	01-2-1200-0240	90.00
To	01-2-1200-0213	90.00
From	01-2-1020-0604	500.00
To	01-2-1020-0231	500.00
From	01-2-1040-0001	400.00
To	01-2-1010-0231	400.00
From	01-2-1040-0001	400.00
To	01-2-1220-0231	400.00
From	01-2-1230-0281	600.00
To	01-2-1230-0260	600.00
From	01-2-1210-0265	300.00
To	01-2-1210-0700	300.00
From	01-2-1100-0700	$850.00
To	01-2-1100-0705	850.00
From	01-2-2000-0703	150.00
To	01-2-2000-0265	150.00
From	19-2-8240-0700	200.00
To	19-2-8240-0200	200.00
From	19-2-8020-0600	400.00
To	19-2-8020-0279	400.00
From	19-2-8030-0992	950.00
To	19-2-8030-0260	950.00

From	01-2-1040-0001	980.00
To	01-2-1100-0705	980.00
From	43-2-5010-0100	975.00
To	43-2-5010-0270	975.00
From	01-2-1200-0701	995.00
To	01-2-1200-0704	995.00
From	01-2-4010-0231	300.00
To	01-2-4010-0213	300.00
From	01-2-5020-0620	900.00
To	01-2-5020-0717	900.00
From	43-2-5090-0100	250.00
To	43-2-5090-0237	250.00
From	01-2-1200-0701	390.00
To	01-2-1200-0704	390.00
From	01-2-5060-0213	34.00
To	01-2-5060-0282	34.00
From	19-2-8430-0100	950.00
To	19-2-8430-0101	950.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS - ORDINANCE ADOPTED

The Agenda listed a number of transfer within various departments for purposes as stated in the Agenda. Administration recommended approval of all of the transfers. Consent Agenda approval: Congleton/Babb - 8 ayes.

ORDINANCE NO. (1984) 353 TF 23

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

	CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	37-2-1000-0100	Council Reserve	$41,000.00
To	37-2-2480-0103	Ridge Road Park Acq.	41,000.00

Purpose: To pay cost of settlement for property purchase (Ridge Road Park).

ORDINANCE NO. (1984) 353 TF 24
ADDENDUM

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

	CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	01-2-1040-0001	Contingency	$2,333.33
To	01-2-1040-0908	Estey Hall Study	2,333.33

Purpose: 2/3 funding for Cranston Development Company to study Estey Hall renovations.

ORDINANCE NO. (1984) 355 TF 24

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 37-2-1000-0100	Council Reserve	$ 1,700.00
To 18-2-1000-0703	Chair Lift	1,700.00
Purpose: Purchasing Nolan Chair Lift for Optimist Pool so that access to this facility by physically handicapped participants will be easier.		
From 43-2-5080-0100	Contingency	$ 25,000.00
To 43-2-5500-0100	Compre. Hous. St.	25,000.00
Purpose: Providing CD's portion of funding for a Comprehensive Housing Study.		
From 01-2-1040-0001	Contingency	$ 20,000.00
To 43-2-5500-0100	Compre. Hous. Study	20,000.00
Purpose: Providing City's portion of funding for Comprehensive Housing Study.		
From 84-2-1060-0110	Belt Filter - Reserve	$185,000.00
To 84-2-1060-0111	EMJ - Belt Press #2	177,926.00
To 84-2-1060-0000	EMJ - Exp.	7,074.00
Purpose: Funding purchase of second belt press.		
From 84-2-1060-0000	EM Johnson Expansion	$ 12,805.00
To 84-2-1060-0201	EMJ Electrical	12,805.00
Purpose: Contract Change Order - EM Johnson Water Plant Expansion, Bryant-Durham Electric Co., Inc. - E-3.		
From 84-2-1060-0000	EM Johnson Expansion	$ 36,478.00
To 84-2-1060-0501	EMJ Filter Mechanical	36,478.00
Purpose: Change Order - EM Johnson Expansion - Roberts Filter Mfg., Co., Inc. - F-10.		
From 01-2-1040-0001	Contingency	$ 8,500.00
To 01-2-1040-0289	City Code	8,500.00
Purpose: Supplement account to pay for Supplement No. 10 and zoning reprints.		
From 43-2-4010-0200	Audit	$ 5,000.00
To 43-2-4060-0100	Loans & Grants	5,000.00
Purpose: Providing funds for Rehab for Resale of 619-619 ½ E. Hargett Street.		
From 43-2-5030-0101	Rehab for Resale (113)	$ 16,000.00
To 43-2-5030-0102	Rehab for Resale	16,000.00
Purpose: Providing funds for Rehab for Resale of 619-619½ E. Hargett Street.		
From 43-2-5120-0231	Travel	$ 1,018.37
From 43-2-5130-0231	Travel	700.00
From 43-2-5120-0260	Office Supplies	3,000.00
From 43-2-5120-0200	Accounting	900.00
To 43-2-5120-0100	Salaries	1,522.41
To 43-2-5130-0100	Salaries	1,805.96
To 43-2-5140-0100	Salaries	1,031.66
To 43-2-5150-0100	Salaries	256.17
To 43-2-5120-0101	Fringe	250.43
To 43-2-5130-0101	Fringe	505.91
To 43-2-5130-0260	Office Supplies	145.85
To 43-2-5140-0260	Office Supplies	99.98
Purpose: To concur with Budget realignment by RHA per Resolution.		
From 43-2-5010-0100	Salaries	$ 2,000.00
To 43-2-5010-0700	Office Equipment	2,000.00
Purpose: Providing funds for needed equipment.		
From 32-2-3010-0110	Winton Road	$500,318.71
To 32-2-3011-0101	PW 1984-3 Const.	460,318.71
To 32-2-3011-0104	PW 1984-3 Misc.	40,000.00
Purpose: Funding for PW 1984-3 Atlantic Avenue project.		
From 08-2-0000-0001	Council Reserve	$ 7,808.00
To 30-2-3000-0201	Boylan Avenue Bridge/ Southern R.R.	7,808.00
Purpose: Funding for final payment to railroad for communication relocation and flagman service and close contract.		
From 01-2-6010-0269	Athletic Supplies	$ 1,000.00
To 01-2-6010-0760	Computer	1,000.00
Purpose: To complete the Department's Payroll Software Program for new computer.		
From 18-2-0800-0225	Repair to Bldg. & Str.	$ 270.00
To 18-2-0800-0260	Office & Other Supl.	270.00
Purpose: Supplementing account.		
From 18-2-0800-0750	Ranoca Equip.	$ 800.00
To 18-2-0800-0260	Office & Other Supl.	800.00
Purpose: Supplementing account.		

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	01-2-1040-0001	Contingency	$ 4,036.00
To	18-2-1000-0701	Air Packs	4,036.00

Purpose: Purchase 5 air packs for maintenance and emergency use at pools.

From	19-2-8030-0100	Salaries	$ 3,500.00
To	19-2-8030-0101	Salaries Contr.	3,500.00

Purpose: To provide funds for instructors and other contractural personnel.

From	01-2-6040-0226	Repairs to Equipment	$ 1,000.00
From	01-2-6030-0227	Repairs to Other Equip.	1,000.00
From	01-2-6040-0227	Repairs to Other Equip.	1,000.00
From	01-2-6050-0227	Repairs to Other Equip.	928.00
To	01-2-6020-0235	Other Materials	3,928.00

Purpose: Supplement account.

From	01-2-6020-0604	2-Ton Dump	$ 14,000.00
To	01-2-6020-0225	Repairs to Bldgs.	14,000.00

Purpose: Emergency repair services to buildings and facilities.

From	19-2-8430-0100	Salaries	$ 1,200.00
To	19-2-8430-0101	Salaries/Contractural	1,200.00

Purpose: Paying contractural salaries for instructors.

From	06-2-7060-0731	PU Truck, 4WD	$ 14,000.00
From	06-2-7060-0700	Easement Acquisition	32,000.00
To	06-2-7060-0730	TV Inspection Unit	46,000.00

Purpose: To cover increased cost of sewer TV inspection and grouting unit.

From	06-2-7100-0002	Contingency	$ 7,500.00
To	06-2-7010-0228	Telephone	7,500.00

Purpose: Supplement account.

From	81-2-1000-0300	Reserve for Council Projects	$ 1,850.17
From	81-2-1060-0103	Kingwood Easement	3,484.00
From	81-2-1060-0105	Kingwood Sewer Removal	550.00
From	06-2-7100-0002	Contingency	15,478.29
From	81-2-1810-0111	Clearing (81-72)	3,500.00
From	81-2-1811-0000	Sludge Handling/Disp.	5,340.12
From	81-2-1811-0104	Misc.	161.65
From	81-2-1820-0104	NRWWTP Clarifiers "D"	339.20
To	81-2-1702-0101	NCDOT I-40 and Jones Franklin Rd.	30,703.43

Purpose: Payment for sewer adjustments made during I-40 construction at Jones Franklin and Buck Jones Roads.

From	01-2-5050-0218	Gas Service	20,000.00
To	01-2-5050-0225	Repairs to Bldg. & Stru.	20,000.00

Purpose: Repairs and replacement of carpets in Municipal Building Annex.

From	01-2-1040-0001	Contingency	$ 39,000.00
To	01-2-5050-0228	Tele/Tele.	39,000.00

Purpose: Supplementing accounts.

From	01-2-1230-0281	Street Lighting	$ 2,200.00
To	01-2-1230-0730	Office Equipment	2,200.00

Purpose: To supply a work station in office for new Traffic Engineer position.

From	84-2-1060-0601	EMJ Clearwell	$ 14,000.00
To	84-2-1061-0102	Falls Tech. Support	14,000.00

Purpose: Technical support during negotiation involving reestablishment of benefits to City within Falls Reservoir.

From	32-2-3010-0110	Winton Rd. Ext.	$1,537,800.00
To	32-2-3012-0101	Atl. Avenue Const.	1,497,800.00
To	32-2-3012-0104	Atl. Avenue Misc.	40,000.00

Purpose: To award bid to C. C. Mangum for construction of the Atlantic Avenue and Spring Forest Road railroad bridges.

BID REQUEST 83-67 - SEWER LINE TELEVISION INSPECTION/JOINT SEALING EQUIPMENT TRUCK MOUNTED - BID AWARDED TO CUES, INC

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on May 24, 1984 for a sewer line/television inspection and joint sealing equipment truck mounted with results as follows: Cues, Inc. - $119,180; HMI Supply Co. - $129,484. Administration recommends the low bid submitted by Cues, Inc. be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BID REQUEST 83-69 - CAST IRON FITTINGS - BID AWARDED TO DAVIS METER AND SUPPLY COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on May 24, 1984 for assorted sized cast iron fittings with results as follows: Davis Meter and Supply Company - $8,474.89;

American Cast Iron Pipe - $10,401; Griffin Pipe Products Company - $10,673.45. Administration recommends the low bid submitted by Davis Meter and Supply be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BID REQUEST 83-70 - TRAVELER TYPE IRRIGATION HOSE, REEL AND CENTRIFUGAL PUMP - BID AWARDED TO WENDELL TRACTOR AND IMPLEMENT COMPANY, INC.

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on May 24, 1984 for a traveler type irrigation hose, reel and centrifugal pump with diesel engine with results as follows: Wendell Tractor and Implement Company, Inc. - $58,288; Knightdale Tractor and Equipment Company, Inc. - $66,249; Craver Equipment Co. - $73,788. Administration recommends the low bid of Wendell Tractor and Implement Company, Inc. be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BID REQUEST 83-71 - TRACTOR LOADER WITH LANDSCAPE RAKE - BID AWARDED TO SENTER SANDERS TRACTOR CORPORATION

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of Purchasing Agent on May 24, 1984 for a tractor loader with a landscape rake with results as follows: Senter Sanders Corporation - $20,500; R. W. Moore Equipment Company - $21,632; Cass Power and Equipment Company - $21,780. Administration recommends the low bid submitted by Senter Sanders Tractor Corporation be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BID REQUEST 84-6 - POLYMER - BID AWARDED TO ALLIED COLLOIDS

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agenda for the cost of polymer required to treat 7,500 tons of sludge and an annual price agreement for the period July 1, 1984 through June 30, 1985. The results of the bids were as follows: Allied Colloids Inc. - $58,311; Calgon Corp. - $68,970; Stockhausen Inc. - $70,605; Allied Chemical Corporation - $88,256.25; American Cyanamid Company - $103,946.25. Administration recommends the low bid submitted by Allied Colloids, Inc. be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BID REQUEST 84-7 - POLYMER - BID AWARDED TO STOCKHAUSEN INC.

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on May 24, 1984 for an annual price agreement for the period July 1, 1984 through June 30, 1985 for the cost of polymer required to treat 8,500 million gallons of aerated wastewater. The results of the bids were as follows: Stockhausen, Inc. - $76,918.75; LubriChem, Inc. - $82,940; America Cyanamid Company - $84,431.97; Allied Colloids, Inc. - $122,496; Allied Chemical Corporation - $143,197.80. Administration recommends the low bid submitted by Stockhausen, Inc. be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

BIDS - ELECTRONIC SCOREBOARD - AWARDED TO DAKTRONICS, INC.

Pursuant to advertising as required by law, bids were received and publicly opened in the office of the Parks and Recreation Director on May 29, 1984 for an electronic scoreboard for Optimist Pool with results as follows: Daktronics, Inc. - $13,521; Colorado Timing Systems - $14,500; JABSCO - $15,500. Administration recommends the low bid submitted by Daktronics, Inc. be awarded. Consent Agenda approval: Congleton/Babb - 8 ayes.

TRAFFIC - VARIOUS CHANGES - ORDINANCE ADOPTED

The Consent Agenda presented recommended changes relating to no parking on Ridge Road, removal of loading zones on Davie Street, 30-minute parking on Hargett Street and two-way traffic on Cabarrus Street, as well as yield sign installation on Pierce Street at Jefferson Street. Approval, as outlined in the Agenda, is recommended. Consent Agenda approval: Congleton/Babb - 8 ayes.

ORDINANCE NO. (1984) 356

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 3 entitled "YIELD SIGNS" be amended by adding the following:

Pierce Street at Jefferson Street

Section 2. That Traffic Schedule No. 13 entitled "NO PARKING" be amended by adding the following:

Ridge Road, both sides, beginning at a point 160 feet south of Glen Eden Drive to a point 175 feet north of Glen Eden Drive

Section 3. That Traffic Schedule No. 15-B entitled "30 MINUTE PARKING" be amended by adding the following:

Hargett Street, north side, from Dawson Street eastward 200 feet

Section 4. That Traffic Schedule No. 17 entitled "LOADING ZONES" be amended by deleting the following:

Davie Street, south side, beginning at a point 80 feet west of Dawson Street, westward 24 feet

Section 5. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. That this ordinance shall become effective June 12, 1984.

ORDINANCE NO. (1984) 359 A

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Add to Traffic Schedule No. 6-A1: (Channelization)
Cabarrus Street at Wilmington Street.

Delete from Traffic Schedule NO. 6-B1: (Channelization)
Cabarrus Street at East Street.

Add to Traffic Schedule No. 6-B4: (Channelization)
Person Street at Cabarrus Street.

Delete from Traffic Schedule No. 6-B4: (Channelization)
Cabarrus Street at Bloodworth Street.

Delete from Traffic Schedule No. 6-B8: (Channelization)
Cabarrus Street at Blount Street.
Person Street at Cabarrus Street.

Delete from Traffic Schedule No. 6-B10: (Channelization)
Cabarrus Street at Person Street.
Cabarrus Street at Wilmington Street.

Add to Traffic Schedule No. 6-C1: (Channelization)
Blount Street at Cabarrus Street.

Delete from Traffic Schedule No. 6-C8: (Channelization)
Blount Street at Cabarrus Street.

Delete from Traffic Schedule No. 9: (One Way)
Cabarrus Street, eastward, from Dawson Street to East Street.

Add to Traffic Schedule No. 9: (One Way)
Cabarrus Street, eastbound from Dawson Street to Salisbury Street.

Add to Traffic Schedule No. 13: (No Parking)
Wilmington Street, west side, from Cabarrus Street, northward, to a point 233 feet south of Davie Street.
Wilmington Street, west side, from Cabarrus Street, southward 60 feet.

Delet from Traffic Schedule No. 13: (No Parking)
Wilmington Street, west side, beginning at a point 213 feet north of Lenoir Street, northward 74 feet.

Delete from Traffic Schedule No. 17: (Loading Zones)
Cabarrus Street, north side, from Wilmington Street, eastward 75 feet.

Delete from Traffic Schedule No. 18: (Truck Loading)
Wilmington Street, west side, beginning at a point 126 feet north of Cabarrus Street, northward 125 feet.

Add to Traffic Schedule No. 18: (Truck Loading)
Wilmington Street, west side, beginning at a point 170 feet south of Davie Street, southward 163 feet.

END OF CONSENT AGENDA

YOUNG VOLUNTEERS IN ACTION - REQUEST TO SUBMIT GRANT APPLICATION - APPROVED

The potential exists for a grant to fund a project with the objective of involving youth in serving the needs of their community. This grant has been submitted in prior years but not funded.

The budget is $22,400 which includes a grant of $20,000 for one staff position. The City's costs are for in-kind office facilities which do not require added funding.

Recommendation: It is recommended that the City Council approve submittal of the grant proposal.

Mr. Calloway questioned if this is a year round program and what department it would be housed in if we received the grant. City Manager Benton indicated the grant would provide one staff person for one year and the grant program would be under the Human Resources Department. He explained the City costs would be in kind matching consisting of office facilities, so therefore there is no direct City funding. Mr. Calloway moved approval of Administration's recommendation to submit the grant proposal. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

COMPREHENSIVE HOUSING STUDY - CONTRACT WITH REAL ESTATE RESEARCH CORPORATION - APPROVED

On May 1, 1984, the Council approved retention of the firm, Real Estate Research Corporation, to perform the Housing Study. This was subject to a contract being negotiated and approved by Council.

A contract has been negotiated which provides for a study to be performed at a cost not to exceed $45,000 and to be completed within seven months. The study will contain the following elements:

- a housing market assessment;
- an assessment of housing cost factors;
- an analysis of private sector involvement;
- a review of existing resources for housing, including administrative, legal, and financial;
- an assessment of viable options; and
- the implementation of a management information system for providing the city with a housing data base.

Recommendation: It is recommended that the agreement with Real Estate Research Corporation be approved and that the following transfers be approved to fund the project:

From:		
43-2-5080-0100	Contingency - C/D	$25,000.00
01-2-1040-0001	Contingency - Gen. Fund	20,000.00
		$45,000.00
To:		
43-2-5500-0100	Comp. Housing Study	$45,000.00

Ms. Block indicated she requested that this be withdrawn from the Consent Agenda pointing out she wanted Administration to emphasis that the report that we received contain a detail assessment of viable options. She pointed out many times we received a report that has a number of pages of background and a half a paragraph of recommendations. She stated she just wanted the detailed part of the report or the majority of the report to be the assessment of viable options. With that comment, Ms. Block moved approval of Administration's recommendation. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 355 TF 24.

MUNICIPAL BUILDING - AUDIO VISUAL CONTRACT - CHANGE ORDER AB-1 - APPROVED; ADMINISTRATION TO WORK WITH VENDOR ON PANEL FUNCTIONS

This is a change order which is an addition of $478.50 and known as Change Order AV-1 - Stone Southern School Supply. The change order is to provide and install a low voltage relay control for sliding front panels in the Council Chambers, pointing out this is necessary to convert from 110 volts to a lower voltage requirement for control. The Agenda outlined the budget amendment that would need to be approved if the change order is approved. Ms. Cates questioned if this would correct the problem of the screen sliding and catching the maps and other displays. City Manager Benton indicated this just relates to converting from the 110 volts to a lower voltage requirement and has nothing to do with the function of the panel. He indicated Administration will try to work with the vendor to see if something could not be done to improve the situation. Mrs. Cates moved approval of the change order and transfer as recommended. Her motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

TRAFFIC - NO PARKING ON FRONT STREET - REFERRED TO LAW AND FINANCE COMMITTEE

This was a recommendation that a No Parking zone be established on Front Street, both sides, from the dead end westward 140 feet. The action is the result of a request from the area businesses which cited difficulty using the cul-de-sac driveways on Front Street due to parked vehicles. The Agenda indicated there is sufficient off-street parking to accommodate this on-street removal. Ms. Babb indicated she

would like to refer this matter to Law and Finance Committee to look at what we have there and maybe come back with some other recommendations. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SPECIAL ITEMS

KINGS MILL VILLAGE - STORMWATER PROBLEM - PETITION FOR ANNEXATION AND CORRECTION OF PROBLEM UNDER CITY POLICY - RECEIVED

At the May 15, 1984 Council Meeting, representatives from Kings Mill Village requested assistance in resolving a stormwater problem. The Council referred this to Administration for report to be made at this meeting. City Manager Benton indicated the flooding problem involves three lots on Basill Drive. He briefly explained the City's storm drainage policy whereby if a property owner furnishes materials, the City will furnish labor. He indicated, however, this is for property within the corporate limits of the City. He stated we do have a petition from the three homeowners to be annexed into the City to be effective June 30, 1985. He stated we also have a petition from the homeowners to participate in correcting the stormwater problem under the City's policy. He indicated the property owners are not totally secure in their arrangements to provide the materials, but they are working on that. He stated his recommendation would be that City Council process the petition for annexation and the petition for remedy of the storm drainage with the understanding that the storm drainage petition would be contingent upon action on the annexation petition.

Mr. Congleton indicated he had been working with the property owners on this and explained that the properties are presently contiguous to the City limits. He indicated this is one of the worst situations relating to storm drainage that he has seen in the City and he feels the solution suggested by the City Manager is appropriate and expressed appreciation to Administration for working out this problem. He moved that Administration's recommendation be upheld. His motion was seconded by Mrs. Block. Mr. Upchurch questioned if this would solve all of the problems in the subdivision with Mr. Congleton indicating we have a potential for some problems further up but it would probably not be as bad as this particular problem. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

BONDS - REFINANCING - VARIOUS ACTIONS TAKEN

City Manager Benton indicated the Council has been working on the refinancing of some bonds that were issued in 1982. He indicated Administration needs to ask the City Council to make one adjustment on this item and that is to rescind the old bond authorization of $23,250,000 and replace that with a bond authorization of $22,850,000. He indicated included in that bond order is specific provisions concerning escrow which are recommended with it being pointed out the escrow agreement would be with First Union National Bank. Ms. Babb moved the Manager's recommendation be upheld. Her motion was seconded by Mr. Congleton and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. (1984) 538

"RESOLUTION PROVIDING FOR THE ISSUANCE OF $22,850,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF RALEIGH AND AUTHORIZING CERTAIN RELATED ACTIONS"

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized by said bond orders; and

WHEREAS, the City Council of the City of Raleigh adopted on May 15, 1984 a resolution entitled "Resolution Providing for the Issuance of $3,750,000 Recreational Facilities Refunding Bonds and $19,500,000 Water Refunding Bonds of the City of Raleigh"; and

WHEREAS, inasmuch as certain additional information relating to the issuance of bonds authorized by said bond orders has become available, the City Council wishes to rescind the above named resolution and adopt a revised resolution reflecting such additional information, including provision for the payment of the bonds to be refunded;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Raleigh, North Carolina (the "Issuer"), as follows:

1. The Issuer shall issue its bonds of the aggregate principal amount of $3,350,000 pursuant to and in accordance with the recreational facilities refunding bond order adopted by the City Council on May 1, 1984. The period of usefulness of the capital project being financed by the issuance of the bonds to be refunded is a period of forty years, computed from July 1, 1982.

2. The Issuer shall issue its bonds of the aggregate principal amount of $19,500,000 pursuant to and in accordance with the water refunding bond order adopted by the City Council on May 1, 1984. The period of usefulness of the capital project being financed by the issuance of the bonds to be refunded is a period of forty years, computed from July 1, 1982.

3. The bonds to be issued pursuant to the bond orders described in paragraphs one and two of this resolution shall be issued as one consolidated bond issue of the aggregate principal amount of $22,850,000 and shall be designated "General Obligation Refunding Bonds". The City Council has ascertained and hereby determines that the average period of usefulness declared in paragraphs one and two of this resolution is not less than forty years computed from July 1, 1982. The bonds shall be issuable in the denomination of $5,000 each or any integral multiple thereof, shall be numbered so as to uniquely designate each bond and such numbering shall be in accordance with the system of the hereinafter designated bond registrar of the Issuer, and shall be payable in annual installments on July 1 in each year, as follows:

$2,000,000 in the year 1985,
$2,000,000 in the year 1986,
$1,975,000 in the year 1987,
$1,925,000 in the year 1988,
$1,400,000 in the year 1989,
$1,400,000 in the year 1990,
$1,375,000 in the year 1991,
$1,350,000 in the year 1992,
$1,325,000 in the year 1993,
$1,300,000 in the year 1994,
$1,275,000 in the year 1995,
$1,250,000 in the year 1996,
$1,225,000 in the year 1997,
$1,175,000 in the year 1998,
$ 950,000 in the year 1999, and
$ 925,000 in the year 2000

4. The bonds shall be dated June 1, 1984 and shall bear interest from their date at a rate or rates which shall be hereafter determined upon the public sale thereof and such interest shall be payable January 1, 1985 and semi-annually thereafter on July 1 and January 1.

5. The bonds shall be registered as to principal and interest, and shall bear the facsimile signatures of the Mayor and City Clerk of the Issuer. A facsimile of the corporate seal of the Issuer shall be imprinted upon each of the bonds.

6. Interest on bonds shall be paid by check by Wachovia Bank and Trust Company, N.A., Winston-Salem, North Carolina, as disbursement agent, and mailed to the registered owner of record as of 15 days prior to the interest payment date at his address as it appears on the bond registry books of Wachovia Bank and Trust Company, N.A., Winston-Salem, North Carolina, as registrar and transfer agent. Principal of the bonds shall be paid by check and said disbursement agent of the Issuer, upon presentation of the bonds for payment.

7. The bonds maturing on and after July 1, 1995 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after July 1, 1994, in whole at any time or in part on any interest payment date, at a redemption price equal to the principal amount of each bond to be redeemed together with accrued interest thereon to the redemption date plus a redemption premium of one-half of one percent (½ of 1%) of the principal amount of each bond to be redeemed for each calendar year or part thereof between the redemption date and the maturity date of each bond to be redeemed, provided that such premium shall not exceed two percent (2%) of such principal amount. If less than all of the bonds of any maturity are called for redemption, the bonds to be redeemed shall be selected by lot. If less than all of the bonds of different maturities are call for redemption, the bonds to be redeemed shall be call in the inverse order of their maturities. If less than all of the principal amount of a single bond is to be redeemed, the Issuer shall exchange a bond of the denomination representing the portion of the bond not redeemed to the registered owner in exchange for the bond a portion of which is to be redeemed. Whenever the Issuer shall elect to redeem bond, notice of such redemption of bonds, stating the redemption date, redemption price and identifying the bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond or portions thereof so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by publication at least once in a newspaper of general circulation in the City of Raleigh, North Carolina and at least once in a daily newspaper of general circulation or a financial journal distributed in the Borough of Manhattan, City and State of New York not less than 30 days prior to the redemption date fixed in said notice. Such notice shall be given not less than 30 days nor more than 60 days prior to the redemption date in writing to the registered owners, by pre-paid first class mail, at their addresses as such addresses appear on the records of Wachovia Bank and Trust Company, N.A., as bond registrar of the Issuer, but any failure in respect of such mailing will not affect the validity of the redemption.

8. The bonds and the provisions for the registration of the bonds, for the approval of the bonds by the Secretary of the Local Government Commission and for authentication of the bonds by the transfer agent and registrar of the Issuer, to be endorsed thereon shall be in substantially the following form:

(Form of Bond)

No. R- $_____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CITY OF RALEIGH

INTEREST RATE	MATURITY	DATE OF ORIGINAL ISSUE JUNE 1, 1984	CUSIP

REGISTERED OWNER:

PRINCIPAL SUM: DOLLARS

GENERAL OBLIGATION REFUNDING BOND

The City of Raleigh (hereinafter referred to as "City"), a municipal corporation of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on that date specified above, upon surrender hereof, the principal sum shown above and to pay to the registered owner hereof interest thereon from the date of this bond until it shall mature at the rate per annum specified above payable January 1, 1985 and semi-annually thereafter on July 1 and January 1 of each year. Principal of this bond is payable by check by Wachovia Bank and Trust Company, N.A., Winston-Salem, North Carolina, as disbursement agent, or by the duly appointed alternate or successor disbursement agent (the "Disbursement Agent"), in such coin or currency of the United States of America as at the time of payment shall be legal tender for payment of public and private debts. Interest on this bond is payable by check by the Disbursement Agent mailed to the registered owner hereof at his address as it appears on the bond registry books of Wachovia Bank and Trust Company, N.A., as transfer agent and bond registrar (the "Transfer Agent"), at the close of business on the fifteenth calendar day next preceding each interest payment date.

This bond is transferable by the registered owner hereof or his duly authorized attorney at the principal office of the Transfer Agent, upon surrender of this bond, accompanied by a duly executed instrument of transfer in form and with guaranty of signature satisfactory to the Transfer Agent, and upon payment of any taxes or other governmental charges incident to such transfer. Upon any such transfer a new registered bond without coupons of the same maturity and in the same aggregate principal amount will be issued to the transferee. The person in whose name this bond is registered shall be deemed the owner hereof for all purposes, and the City and the Transfer Agent shall not be affected by any notice to the contrary.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act and bond orders adopted by the City Council of the City on May 1, 1984, to provide funds to advance refund the outstanding Recreational Facilities Bonds, Series 1982, and Water Bonds, Series 1982, dated July 1, 1982, of the City.

The bonds maturing on and after July 1, 1995 shall be subject to redemption prior to their stated maturities at the option of the City on or after July 1, 1994, in whole at any time or in part on any interest payment date, at a redemption price equal to the principal amount of each bond to be redeemed together with accrued interest thereon to the redemption date plus a redemption premium of one-half of one percent (½ of 1%) of the principal amount of each bond to be redeemed for each calendar year or part thereof between the redemption date and the maturity date of each bond to be redeemed, provided that such premium shall not exceed two percent of such principal amount. If less than all of the bonds of any maturity are called for redemption, the bonds to be redeemed shall be selected by lot. If less that all of the bonds of different maturities are called for redemption, the bonds to be redeemed shall be called in the inverse order of their maturities. If less than all of the principal amount of a single bond is to be redeemed, the City shall exchange a bond of the denomination representing the portion of the bond not redeemed to the registered owner in exchange for the bond, a portion of which is to be redeemed. Whenever the City shall elect to redeem bonds, notice of such redemption of bonds, stating the redemption date, redemption price and identifying the bonds or portions thereof to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond or portions thereof so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by publication at least once in a newspaper of general circulation in the City of Raleigh, North Carolina and at least once in a daily newspaper of general circulation or a financial journal distributed in the Borough of Manhattan, City and State of New York not less than 30 days prior to the redemption date fixed in said notice. Such notice shall be given not less than 30 days nor more than 60 days prior to the redemption date in writing to the registered owners, by pre-paid first class mail, at their addresses as such addresses appear on the records of Wachovia Bank and Trust Company, N.A., as bond registrar, but any failure in respect of such mailing will not affect the validity of the redemption.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the City, is within every debt and other limit prescribed be said Constitution or statutes. The faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose until the certifications hereon shall have been signed by authorized representatives of the Local Government Commission of North Carolina and Wachovia Bank and Trust Company, N.A.

IN WITNESS WHEREOF, the City has caused this bond to bear the facsimiles of the signatures of the Mayor and City Clerk and a facsimile of the corporate seal of the City to be imprinted hereon and this bond to be dated June 1, 1984.

(SEAL)

(facsimile signature)
City Clerk

(facsimile signature)
Mayor

Transfer Agent's Certificate of Authentication

This bond is one of the bonds of the issue designated herein and issued under the within-mentioned bond orders.

WACHOVIA BANK AND TRUST COMPANY, N.A.

By: _____
Authorized Signatory

Date of Authentication _____

The issue hereof has been approved under the provisions of The Local Government Bond Act.

(facsimile signature)
JOHN D. FOUST
Secretary of the Local Government Commission

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____, the within bond and irrevocably appoints _____, attorney-in-fact, to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

_____
Signature Guaranteed:

_____

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

9. Actions taken by officials of the Issuer to select disbursement and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

10. The Local Government Commission of North Carolina is hereby requested to sell said bonds and to state in the Notice of Sale of said bonds that bidders may name one rate of interest for part of said bonds and another rate or rates for the balance of said bonds. Said bonds shall bear interest at such rate or rates as may be named in the proposal to purchase said bonds which shall be accepted by said Local Government Commission.

11. The Mayor and City Clerk of the Issuer are hereby authorized and directed to cause said bonds to be prepared and, when they shall have been duly sold by said Local Government Commission, to execute said bonds and to turn said bonds over to Wachovia Bank and Trust Company, N.A., for delivery to the purchaser or purchasers to whom they may be sold by said Local Government Commission.

12. The Official Statement dated May 25, 1984 setting forth financial and statistical data in connection with the offering of said bonds, which was circulated with the Notice of Sale thereof, is hereby approved. In connection with this approval, the City Council of the Issuer has examined copies of the Official Statement and has, to the extent and in the manner it has deemed necessary, discussed the contents thereof with officers of the administration of the Issuer. The City Council

of the Issuer does hereby recite that, upon its examination and discussions, nothing has come to its attention which would lead it to believe that said Official Statement contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, no misleading. The Mayor, the City Manager and the Finance Director of the Issuer are hereby authorized and directed to execute the Official Statement.

13. The Escrow Deposit Agreement, dated June 28, 1984, by and between the City and First Union National Bank, as Escrow Agent, is hereby approved. The Mayor and City Clerk of the Issuer are hereby authorized to complete, to execute and to deliver the Escrow Deposit Agreement.

14. The resolution entitled, "Resolution Providing for the Issuance of $3,750,000 Recreational Facilities Refunding Bonds and $19,500,000 Water Refunding Bonds of the City of Raleigh", adopted by the City Council of the City on May 15, 1984, is hereby rescinded in its entirety.

The motion having been duly seconded, and the resolution having been considered, it was adopted. The vote on the adoption of the resolution was as follows:

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. Mr. Congleton requested that CR-5086 (Z-62-84) be withdrawn. Mr. Walters requested that CR-5093 (Z-71-84) be withdrawn. Mrs. Cates requested that CR-5088 (Z-65-84) be withdrawn. Ms. Block requested that CR-5056 (S-70-84) be withdrawn. Ms. Babb requested that CR-5079 (TC-265) and CR-5080 (TC-266) as well as CR-5058 (SC-234) be withdrawn. Without objection, these items were withdrawn. Mr. Calloway moved that the Planning Commission's recommendation on the remaining items on the Consent Agenda be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Planning Commission Consent Agenda were as follows:

SUBDIVISION S-71-84 - SOUTHGATE PLAZA - APPROVED WITH CONDITION

This was a request for approval to subdivide a 13.29 acre parcel into seven (7) lots (four Residential-4 single-family lots and three Shopping Center commercial lots), zoned Residential-4 and Shopping Center. The site is developed with a single-family house.

The property is located at the northwest corner of Cross Link Road and Rock Quarry Road, inside the City Limits.

CR-5057 from the Planning Commission recommends that this request be approved according to a map entitled, "Southgate Plaza," the property of Rock Quarry Road Associates, drawn by Envirotek, Incorporated, dated May 30, 1984, with the condition that the Council direct Administration to contact the owners of the Texaco lot to dedicate the narrow strip of right-of-way necessary for the extension of relocated Cross Link Road so it will align with Proctor Street as shown on the Collector Street Plan as amended (CP-3-84). Consent Agenda approval: Congleton/Babb - 8 ayes.

SUBDIVISION S-36-84 - WEST GLEN TOWNHOUSES - APPROVED WITH CONDITIONS

This was a request for approval to construct 48 townhouse units on 5.47 acres which are currently undeveloped and zoned Residential-10.

The property is located on the west side of Duraleigh Road, just opposite Deep Hollow Drive, outside the City Limits.

CR-5071 from the Planning Commission recommends that this request be approved according to a map entitled, "West Glen Townhouses," the property of C. J. Deese and Company, drawn by Geoffrey McLean and Company, dated March 1, 1984 (revision date May 18, 1984), with the following conditions: (1) That the plan be revised to conform to the alternative design agreed upon by the Staff, designee and developer, dated May 21, 1984; (2) that the property be recombined into one (1) parcel prior to recording the final plats; and (3) that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval: Calloway/Babb - 8 ayes.

SUBDIVISION S-47-84 - TWO COURTS - APPROVED

This was a request for approval to subdivide a 2.26 acre tract into two lots, zoned Residential-6.

The property is located at the southern end of Two Courts and along Leesville Road, outside the City Limits.

CR-5072 from the Planning Commission recommends that this request be approved according to a map entitled, "Two Courts," the property of Lester C. O'Neal, drawn by Castleberry-Edgerton Company, dated May 15, 1984. Consent Agenda approval: Calloway/Babb - 8 ayes.

SUBDIVISION S-62-84 - HAYES BARTON SQUARE CONDOMINIUM CONVERSION - APPROVED WITH CONDITIONS

This was a request for approval to convert 74 existing residential units to condominiums on 7.48 acres, zoned Residential-10. The development is proposed as three (3) phases.

The property is located at the southwest corner of Avon Drive and Carroll Drive, inside the City Limits.

CR-5073 from the Planning Commission recommends that this request be approved according to a map entitled, "Hayes Barton Square Condominium Conversion," the property of DAMIK, drawn by McNeely Associates, dated April 20, 1984, with the condition that the "as-built" utility layout is reviewed and approved by the Public Utilities Department to insure each phase stands alone prior to recording those final plats. Consent Agenda approval: Calloway/Babb - 8 ayes.

SUBDIVISION S-69-84 - DURANT TRAILS PLANNED UNIT DEVELOPMENT REVISION - APPROVED WITH CONDITIONS

This was a request for approval to revise a previously approved Planned Unit Development consisting of 520 single-family units, 234 townhouse units and 58 patio homes on 208 acres, zoned Residential-6 and Conservation/Buffer. The revision is to change the street layout by cul-de-sacing streets and adding stormwater impoundment areas. There is a reduction of two (2) single-family lots from the previously approved plan (S-27-83, approved July 19, 1983).

The property is located on the east side of Litchford Road, south of Durant Road and bounded by Camp Durant on the southeast side, outside the City Limits.

CR-5074 from the Planning Commission recommends that this request be approved according to a map entitled, "Durant Trails Planned Unit Development Revisions," the property of Litchford Road Associates, drawn by Triangle Engineering, dated April 20, 1984, with the following conditions: That (a) the 520 single-family lots be approved with the following conditions: (1) That the proposed sewage treatment facility along Simms Branch (Reedy Creek) east of Durant Nature Park be relocated in a mutually agreeable location to both the City and the developer; (2) that the sewage treatment facility be designed to accommodate the total upper drainage basin with possible phasing on construction of the treatment plant; (3) that a stormwater management plan be developed that would insure that any impact on Simms Branch (Reedy Creek) and ongoing Park Programs at Durant Nature Park would be minimized and the plan be approved by the Conservation Section and the Planning Department; (4) that the developer pay the initial cost for the installation of sanitary sewer lines with reimbursements through acreage fees for 12-inch and larger trunk lines; (5) that the developer pay utility acreage fees as the property is developed; (6) that the developer pay a system development fee for each dwelling to be used to aid in development of the sewer system to ultimately serve this basin; (7) that the City may add a user surcharge to aid in the capital cost associated with the ultimate service of sanitary sewer in this area; and (8) that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plat; and (b) that the concept of the townhouse and patio areas showing the general location of 292 units (234 townhouse units and 58 patio homes) be approved with the condition that when this phase of the project is reached, the applicant resubmit plans for that area for approval by the Planning Commission and City Council. Consent Agenda approval: Calloway/Babb - 8 ayes.

GH-177 - SHELLEY PLACE APARTMENTS - APPROVED WITH CONDITIONS

This was a request for approval to construct a driveway across a 10-foot Conservation/Buffer zone and to transfer 8.4 units (8.8 allowed) from the Conservation/Buffer zone to the adjacent Residential-6 land. There is a 117 unit apartment project proposed on 18.01 acres which are a portion of a 21 acre parcel zoned Residential-6 (2.9 acres are zoned Conservation/Buffer).

The property is located on the northeast corner of Lead Mine Road and Shelley Road, inside the City Limits.

CR-5076 from the Planning Commission recommends that this request be approved according to a map entitled, "Shelley Place Apartments," the property of Crow-Terwilliger, drawn by Jerry Turner and Associates, dated April 20, 1984. It is also recommended that the 1.62 acre greenway easement dedication along the northern property line be accepted. The transfer of the 8.4 units from the Conservation/Buffer zone is recommended for approval with the condition that the site plan is recorded pursuant to Section 10-2022(2)(f) prior to issuance of building permits. Consent Agenda approval: Calloway/Babb - 8 ayes.

CP-3-84 - COLLECTOR STREET PLAN - AMENDMENT ADOPTED

This was a request for approval to amend the Collector Street Plan of the Comprehensive Plan by adding a street on the south side of the Southern Beltline between State Street and Rock Quarry Road and by realigning Cross Link Road.

CR-5077 from the Planning Commission recommends that CP-3-84 be approved according to a map entitled, "Alternative B," attached to CR-5077. Consent Agenda approval: Calloway/Babb - 8 ayes.

RESOLUTION NO. (1984) 534

RESOLUTION TO AMEND THE COMPREHENSIVE PLAN

WHEREAS, the purpose of the Comprehensive Plan is to provide general guidance to City agencies, or public agencies, private individuals and organizations as they prepare detail plans, programs or ordinances; and

WHEREAS, it is the intent of the City Council to maintain and amend this plan as the official statement of the City Council policy concerning this to development of the City of Raleigh; and

Whereas, after careful review of the development patterns in the Cross Link Road area, revisions to the Collector Street Plan are needed.

Now, therefore, be it resolved by the City Council of the City of Raleigh, North Carolina:

Section 1. That the attached map be approved as an amendment map to Map SE-6 of the South East Land Use Plan, adopted by Resolution No. (1983) 344. Said map providing for:

A street on the south side of the southern Beltline between State Street and Rock Quarry Road.

Realignment of Cross Link Road

CP-4-84 - MAJOR STREET PLAN - APPROVED - RESOLUTION ADOPTED

This was a request for approval to amend the Major Street Plan of the Comprehensive Plan, as amended by CP-1-80, by eliminating or relocating the proposed extension of Wilderness Road from Sawmill Road to Creedmoor Road, north of Lynn Road and east of Ray Road.

CR-5078 from the Planning Commission recommends that CP-4-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes.

RESOLUTION (1984) 535

RESOLUTION TO AMEND THE COMPREHENSIVE PLAN

WHEREAS, the purpose of the Comprehensive Plan is to provide general guidance to City agencies, other public agencies, private individuals and organizations as they prepare detailed plans, programs, and ordinances; and

WHEREAS, it is the intent of the City Council to maintain and amend this plan as the official statement of City Council Policy concerning the future development of the City of Raleigh; and

WHEREAS, a public hearing on proposed Amendment No. CP-1-80 was held before a joint meeting of the City Council and the Planning Commission on August 5, 1980.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the attached Amendment No. CP-1-80 revising the location of the proposed collector street in the area bounded by Creedmoor, Lynn, Ray and proposed Sawmill Road, be adopted as an amendment to the Comprehensive Plan adopted by Resolution No. (1979) 949, on June 19, 1979.

REZONING Z-51-84 - DEBOY STREET - DENIED

This was a request for approval to rezone approximately 3.3 acres from Residential-6 to Residential-10.

CR-5082 from the Planning Commission recommends that Z-51-84 be denied. Consent Agenda approval: Calloway/Babb - 8 ayes.

REZONING Z-52-84 - US 64 WEST - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately one-fourth (¼) acre from Shopping Center to Residential-10.

CR-5083 from the Planning Commission recommends that Z-52-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

REZONING Z-57-84 - PLEASANT VALLEY ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately one (1) acre from Residential-10 to Industrial-I.

CR-5085 from the Planning Commission recommends that Z-57-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

ETJ-14 - PERRY CREEK ROAD - APPROVED - RESOLUTION ADOPTED

This was a request for approval to add approximately 24.6 acres to the City of Raleigh's Extraterritorial Jurisdiction.

CR-5089 from the Planning Commission recommends that ETJ-14 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes.

ORDINANCE NO. (1984) 359 C

AN ORDINANCE TO AMEND THE OFFICIAL EXTRATERRITORIAL JURISDICTION MAP OF THE CITY OF RALEIGH

WHEREAS, G.S. 160A-360 authorizes the City of Raleigh to extend its extraterritorial jurisdiction with the agreement of Wake County; and

WHEREAS, the City of Raleigh, through Resolution (1983) 366 revised and the County of Wake, through Resolution R-84-19, have agreed to extend the extraterritorial jurisdiction of Raleigh;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA, that:

Section 1. That the Extraterritorial Jurisdiction Map, City of Raleigh, dated March 12, 1981, as amended is hereby further amended by adding to the City jurisdiction approximately 25 acres. The additional area is described as follows:

ETJ EXTENSION
WOODLIEF PROPERTY

Beginning at a point in the existing (9-1-83) Raleigh ETJ (Extraterritorial Jurisdiction) line, said point being in the southern line of the property now or formerly of the A. J. Honeycutt Estate, said point also being the northernmost corner of property belonging to Clifton Woodlief and Wife, Edna M.; thence with the boundaries of said Woodlief Property the following courses and distances: South 30° 20' 46" West 623.23 feet ±, South 59 ° 27' East 580 feet ±, North 30° 33' East 381.31 feet ±, North 59 ° 17' 53" East 84.59 feet ±, North 59° 15' 30" East 180 feet ± to a point in the centerline of Perry Creek Road (S.R. 2006); thence southeasterly with the centerline of Perry Creek Road 1220 feet ± to its intersection with the extension of the southeastern boundary of said Woodlief Property along Perry Creek; thence southwesterly with this southern boundary extended 190 feet ± along Perry Creek to the southeasternmost corner of the Woodlief Property; thence with the remainder of the southern boundary of said Woodlief Property the following course and distances: South 80° 01' 54" West 485.87 feet ±, North 78° 11' 48" West 497.00 feet ±, North 62° 45' 48" West 1548.58 feet ± to the western corner of said Woodlief Property, said point also being in said existing ETJ line; thence northeasterly with said existing ETJ line 1430 feet ± to the point of Beginning.

Section 2. That the official extraterritorial jurisdiction map of the City of Raleigh on file in the Office of the City Clerk which is also recorded in the Office of the Register of Deeds of Wake County as required by law be amended to conform to Section 1 hereof.

Section 3. That this ordinance shall become effective upon its date of adoption, June 5, 1984.

Section 4. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 5. That this ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and City Planning Commission following a recommendation thereon of the Planning Commission.

Section 6. If any phrase, clause, sentence, paragraph, or section of this ordinance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect, and to this end, the phrases, clauses, sentences, and sections of this ordinance are declared to be severable.

Adopted: June 5, 1984

Effective: June 5, 1984

REZONING Z-67-84 - PERRY CREEK ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 24.6 acres from Wake County Residential-20 to Raleigh Residential-4.

CR-5090 from the Planning Commission recommends that Z-67-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

REZONING Z-68-84 - HOLLENDEN DRIVE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 13 acres from Residential-10 to Residential-15.

CR-5091 from the Planning Commission recommends that Z-68-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

REZONING Z-70-84 - LOUISBURG ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately one (1) acre from Residential-6 to Residential-10.

CR-5092 from the Planning Commission recommends that Z-70-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

REZONING Z-73-84 - GLENWOOD AVENUE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 4.5 acres from Office and Institution-III to Office and Institution-I.

CR-5094 from the Planning Commission recommends that Z-73-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

REZONING Z-76-84 - ROGERS LANE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 50 acres from Agricultural Productive to Residential-1.

CR-5095 from the Planning Commission recommends that Z-76-84 be approved as requested. Consent Agenda approval: Calloway/Babb - 8 ayes. See Ordinance 357 ZC 139.

END OF THE PLANNING COMMISSION CONSENT AGENDA

SUBDIVISION S-70-84 - CHIPPENHAM SQUARE - APPROVED WITH CONDITIONS

This was a request for approval to subdivide in two phases a 22 acre tract which is currently undeveloped and zoned Residential-4 into 59 single-family lots.

The property is located at the northeast corner of Creedmoor Road and Leesville Road, outside the City Limits.

CR-5056 from the Planning Commission recommends that this request be approved according to a map entitled, "Chippenham Square," the property of Gene Stallings, drawn by Ellenwood Design Associates, Limited, dated May 3, 1984, subject to the resolution of the drainage problem.

Ms. Block indicated she is not sure if the recent Council action on the Kings Mill Village storm drainage is sufficient. Mr. Congleton indicated he feels that this subdivision should be approved subject to them working out satisfactory resolution to the drainage problem suitable to Administration. Mr. Congleton moved approval with that condition. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SC-234 - SOUTHGATE PLAZA - APPROVED WITH CONDITIONS

This was a request for approval to construct a 136,500 square foot shopping center consisting of five (5) buildings on 11.6 acres, zoned Shopping Center. The site is currently developed with a single-family unit.

The property is located on the northwest corner of Rock Quarry Road and Cross Link Road, inside the City Limits.

CR-5058 from the Planning Commission recommends that this request be approved according to a map entitled, "Southgate Plaza," the property of Rock Quarry Road Associates, drawn by Envirotek, Incorporated, dated May 1, 1984, with the following conditions: (1) That a detailed landscaping plan be reviewed and approved by the Planning Staff Landscape Architect for the buffer area located between the shopping center and that portion of Old Cross Link Road as shown on the plan to provide complete screening of the shopping center, including the installation of a decorative privacy fence, if necessary; and (2) that the landscaping plan be approved and installed prior to issuance of a Certificate of Occupancy for any part of the center.

Ms. Babb questioned the date with Planning Director Chapman indicating the map available at the meeting does have a May 30, 1984 date. Ms. Babb moved approval of the plan with the May 30 date. Her motion was seconded by Mr. Congleton and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TC-265 - SPECIAL HIGH DENSITY RESIDENTIAL ORDINANCE AMENDMENT AND TC-266 - CONVERSION OF NON-RESIDENTIAL BUILDINGS - REFERRED TO THE DOWNTOWN COMMITTEE

TC-265 is a request for approval to amend Section 10-2072(a) of the Raleigh City Code be deleting the current minimum lot size and maximum coverage requirements and adding standards for open space, parking, and other requirements. CR-5079 from the Planning Commission recommends approval of this text change as written.

TC-266 is a request for approval to amend the City Code to allow the conversion of non-residential buildings to residential use with the business zoning district as a special use approved by the City Council. CR-5080 from the Planning Commission recommends that this text change be approved. Ms. Babb indicated she had requested that these two items be withdrawn from the Consent Agenda pointing out her concern involves her interest in making downtown occur. She requested that these two items be referred to the Downtown Committee. She stated she just had some general concerns and questions about the requirements. Mr. Walters stated he had no problem with putting it in committee, but did not understand why we didn't go ahead and adopt it. Ms. Block indicated she had a concern about the ordinance that relates to the one-half parking space for each unit. After brief discussion, by general consensus the two items were referred to the Downtown Committee.

REZONING Z-62-84 - CREEDMOOR ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to revise certain of the zoning boundary lines according to the map entitled, "Composite Map for Development Associates, Inc.," revised date 12-9-83, as drawn by Triangle Engineering and Surveying, Inc. (The net changes will increase the present Office and Institution-III district by .01 acre, the Residential-6 by 1.31 acres, and the Residential-20 by .28 acre; and decrease the Residential-10 by .84 acre.)

CR-5086 from the Planning Commission recommends that Z-62-84 be approved as requested.

Mr. Congleton indicated this is a situation where we have been dealing with a residential neighborhood with the Residential-6 buffer. But what we have now is houses that face O&I property and questioned if this is the time to deal with that problem. Mr. Chapman indicated he thinks it would be better to deal with it when the special projects are approved. Mr. Congleton moved approval of the Planning Commission's recommendation. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted. See Ordinance 357 ZC 139.

REZONING Z-65-84 - FALLS OF NEUSE ROAD - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to rezone approximately .8 acre from Residential-4 to Office and Institution-II.

CR-5088 from the Planning Commission recommends that Z-65-84 be approved as requested.

Ms. Cates indicated this application had a valid protest petition and she has some questions she would like answered; therefore, she would like for the matter to go to Public Works Committee. Mayor Upchurch indicated, without objection, the item would be referred. Ms. Block pointed out that this did have a neighborhood opposition and perhaps the City Council may just as soon vote on it tonight. Mr. Congleton objected to the matter going to Public Works without a vote. Ms. Cates made a motion that rezoning Z-65-84 be referred to Public Works Committee. The motion did not receive a second.

Planner Director Chapman explained the rezoning application. Mr. Congleton indicated he had looked back into the history of this case and explained an apartment complex completely surrounds this property on three sides. He indicated, as he understands it, the owner of the property in question held out when the surrounding rezoning was approved. He stated if the property had all been zoned for apartments there would be no problem, but pointed out the only access to this small parcel is on Falls of Neuse Road. He indicated the petitioner has explained his intent to him and he feels it would be in the best interest of everyone involved to look at this property in the context of O&I-II. He stated he felt comfortable with that proposed zone and would move approval of the Planning Commission's recommendation. His motion was seconded by Ms. Babb. Mr. Walters indicated he agreed pointing out all of this property at

one time was Residential-4 and this property owner wanted everything to stay Residential-4, but lost and the surrounding property was zoned for apartment use. He stated the only objection would be the commercial aspect, but it is completely surrounded by apartments. Ms. Block made a motion that the matter be referred to Public Works Committee pointing out she feels that this should stay zoned residential, maybe medium density residential. Her substitute motion was seconded by Mrs. Cates. After discussion on the surrounding development, the history of the case and whether O&I-II would be compatible with Residential-15 and the feeling that the property is not Residential-4, motion was put to a vote which resulted in all members voting in the affirmative except Mr. Congleton who voted in the negative. The Mayor ruled the motion adopted.

REZONING Z-71-84 - FOREST RIDGE ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 13.6 acres from Residential-6 (13 acres) and Industrial-I (.6 acre) to Office and Institution-I and Conservation/Buffer. The Conservation/Buffer is that area south of the north edge of the proposed Bland Road Extension.

CR-5093 from the Planning Commission recommends that Z-71-84 be approved as requested.

Mr. Walters indicated he requested that the item be withdrawn from the Consent Agenda questioning the roadway through this property and the realignment with Planning Director Chapman explaining the proposed realignment as it relates to the proposed Conservation/Buffer zoning. He indicated at this point the Conservation/Buffer would be south of the proposed realignment of the road. Mr. Walters moved approval of the Planning Commission's recommendation. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted. See Ordinance 357 ZC 139.

REZONING Z-49-84 - LEXINGTON DRIVE - DENIED

This was a request for approval to rezone approximately one-fourth (¼) acre from Residential-10 to Neighborhood Business.

CR-5081 from the Planning Commission recommends that Z-49-84 be approved as requested.

Planning Director Chapman explained the location, present and proposed zones. Planning Commission Chairman Woodlief indicated presently the front of this property is being used as a parking lot. Mr. Keller stated he had some questions on this rezoning, pointing out as a general principle he would oppose any further intrusion into the residential area. He stated there are some problems involved in this request in that we have a split zoned lot and if the split zoning were done away with another building could be built. He indicated the parking lot is presently rundown and trashy and questioned if they could improve that parking lot by going to the Board of Adjustment for a variance with City Attorney McCormick indicating he did not think the Board of Adjustment could grant a variance. Mr. Keller stated if the Council approves this rezoning, it would permit putting another building; therefore, he would move that the rezoning application be denied. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-55-84 - BLUE RIDGE ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 3.6 acres from Residential-4 to Residential-6.

CR-5084 from the Planning Commission recommends that Z-55-84 be approved as requested.

Planning Director Chapman explained the request and the Planning Commission's recommendation. Mr. Calloway moved approval of the rezoning. His motion was seconded by Mrs. Cates. Mrs. Cates indicated she had looked at this very carefully, pointing out it is adjacent to a nursing home and the rezoning would allow only seven more units and she sees no reason for not approving the rezoning. Ms. Block pointed out it was opposed by the CAC and some of the adjacent residents based on the traffic impact and the already dangerous intersection at Kids Hill and the feeling that this would be a further intrusion into the neighborhood. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1984) 357 ZC 139

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) U.S. 64 West (Hillsborough Road), south side, between Singleton Road and Bashford Road, being a portion of Parcels 62 and 63, Tax Map 519, approximately one-fourth acre rezoned to Residential-10 according to map on file in the City of Raleigh Planning Department. (Z-52-84)

(b) Pleasant Valley Road, north side, between U.S. 70 West (Glenwood Avenue) and Pleasant Grove Church Road, being portions of Parcel 12, Tax Map 377, approximately one acre rezoned to Industrial-I according to a map on file in the City of Raleigh Planning Department. (Z-57-84)

(c) Creedmoor Road, east side, between Sawmill Road and Strickland Road, being some 295 acres as shown on the map entitled, "Composite Map for Development Associates, Inc.", revised dated 12-9-83, drawn by Triangle Engineering and Surveying, Inc. The net changes will increase the present Office and Institution-III district by .01 acre, the Residential-6 by 1.31 acres, and the Residential-20 by .28 acres; and decrease the Residential-10 by .84 acre according to map on file in the City of Raleigh Planning Department. (Z-62-84)

(d) Hollenden Drive, west side, between Spring Forest Road and New Hope Road, being a portion of Parcel 94, Tax Map 382, approximately 13 acres rezoned to Residential-15, according to map on file in the City of Raleigh Planning Department. (Z-68-84)

(e) Perry Creek Road, south side, between U.S. 1 North and U.S. 401 (Louisburg Road), being property on the east and west sides of Berkshire Downs Drive and being Parcel 9, Tax Map 328, approximately 24.6 acres rezoned to Residential-4. (Z-67-84)

(f) Blue Ridge Road, east side, between Townedge Court and U.S. 70 (Glenwood Avenue), being Parcel 19, Tax Map 434, approximately 3.6 acres rezoned to Residential-6. (Z-55-84)

(g) Rogers Lane, west side, between U.S. Highway 64 East and Crabtree Creek, being Parcel 11, Tax Map 527, approximately 50 acres rezoned to Residential-1 District. (Z-76-84)

(h) Glenwood Avenue, east side, between Alamance Drive and Woman's Club Drive, being a portion of Parcel 249, Tax Map 434, approximately 4.5 acres rezoned to Office and Institution-I, according to map on file in the City of Raleigh Planning Department. (Z-73-84)

(i) Forest Ridge Road, north and south sides, between Old Wake Forest Road and the Seaboard Railroad, being Parcels 3, 15-18, 58, 70, 668, and 675, Tax Map 437 consisting of approximately 13.6 acres rezoned to Office and Institution-I and Conservation/Buffer, according to map on file in the City of Raleigh Planning Department. (The Conservation/Buffer is that area south of the north edge of the proposed Bland Road Extension.) (Z-71-84)

(j) Louisburg Road (U.S. 401 North), north side, between New Hope Road and Dansey Drive, being Parcel 25, Tax Map 410, approximately one acre rezoned to Residential-10. (Z-70-84)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon the date of adoption.

REZONING Z-64-84 - SIX FORKS ROAD - DENIED

This was a request for approval to rezone approximately two-thirds (2/3) of an acre from Office and Institution-I to Shopping Center.

CR-5087 from the Planning Commission recommends that Z-64-84 be approved as requested.

Planning Director Chapman explained the location and request. He indicated discussion in the Planning Commission centered around access. He stated, however, the Planning Commission felt that between the Site Plan approval and the Office and Institution and Shopping Center zoning, that this would give the Council an adequate opportunity to address that question. Mr. Congleton indicated this is a very tough case and he has tried to look at the rationale of approving it or denying it. He indicated there are a lot of reasons for approving the rezoning, pointing out it is a very small parcel next to a shopping center and possibly it looks very harmless. He stated, however, he didn't have any reason to be for it; therefore, he would make a motion to deny the application as to him, it simply looks like an extension of the Shopping Center zoning. His motion was seconded by Ms. Block. Mr. Walters indicated this is in the center of the parking lot of the shopping center and the rezoning would not have any effect on any surrounding residential. He stated, in his opinion, the property is mis-zoned now as it is already a parking area and the shopping center seems to be split zone. Ms. Block indicated Council Members received a letter from adjacent property owners who feel the zoning was placed on this property as part of a buffer between the shopping center and the residential area and that perhaps it should be left zoned Office and Institution, with Mr. Walters indicating if it were on the other side of the bank building, he would feel the same way. Mr. Congleton pointed out if this property is zoned Shopping Center then the next lot could come in and request rezoning and so on. Therefore the question is where do we stop the shopping center. The motion to deny the request was put to a vote which resulted in all members voting in the affirmative except Mr. Walters and Mr. Keller who voted in the negative. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS, AND BOARDS

APPEARANCE COMMISSION - THERESA ROSENBERG REAPPOINTED; NOMINATIONS TAKEN FOR REMAINING VACANCY

The City Clerk reported one vacancy on the Appearance Commission and nominations include: Bernadine Weddington, Theresa Rosenberg, and Dan Sears. Nominations have been closed.

A ballot vote resulted as follows: Rosenberg - 5 (Calloway, Cates, Walters, Congleton, Babb); Weddington - 3 (Keller, Upchurch, Block). The Clerk announced the reappointment of Theresa Rosenberg to a two year term on the Appearance Commission.

The City Clerk indicated the term of John Stokes expires on June 17, 1984 and he is eligible for reappointment. No nominations have been made. All Council Members nominated Mr. Stokes for reappointment. No further action was taken.

TRANSIT AUTHORITY - APPOINTMENTS MADE

The City Clerk reported the terms of Irvin Rovner and Hill Carrow, Jr. expire May 20. Nominations include David Robinson, Mr. Rovner, Mr. Carrow and Captain Billy Fowler. Nominations have not been closed. Mrs. Block indicated she was sorry to say that she would have to withdrawn the nomination of Captain Fowler as his present commitments would not allow him to accept appointment. A ballot vote resulted as follows: Robinson - 6 (Upchurch, Walters, Block, Keller, Congleton, Babb); Rovner - 3 (Babb, Cates, Calloway); Carrow - 7 (Upchurch, Walters, Block, Keller, Congleton, Calloway, Cates). The City Clerk announced the appointment of David Robinson and reappointment of Hill Carrow, Jr. to a two-year term on the Transit Authority.

SISTER CITY AD HOC COMMITTEE - APPOINTMENTS MADE

The City reported that this is a nine-member committee (8 members plus a chairperson, who is Councilman Walters). Nominations include: Millie Schecter, William Block, Mary Parker, and J. C. Knowles. Nominations have not been closed. Mr. Calloway nominated Thelma Roundtree. Mr. Upchurch nominated Charles Shields. Mrs. Cates nominated Jo Ann Godwin. Mr. Walters indicated someone from the Chamber of Commerce is trying to get a person to serve on this committee. He indicated he supposes that this committee will evolve out of the City Council's domain as he hopes it will be taken over as a self-supporting organization. He indicated we need to get to work on this program, pointing out he talked to the Director in Washington and there are two cities who are interested in becoming Sister Cities with Raleigh. Therefore, he would move that the City Council suspend the rules and elect the seven members to start the organization of the Sister City Ad Hoc Committee. His motion was seconded by Ms. Babb and put to a vote which passed unanimously.

It was agreed there would still be one vacancy to which no nominations have been made.

HISTORIC PROPERTIES COMMISSION - NOMINATIONS MADE

The Clerk reported one vacancy as the term of Susie Perry expires June 30 and she is not eligible for reappointment. No nominations have been made. Mr. Keller nominated Mrs. John Jadwick. Mr. Calloway nominated Margaret Hayes, 423 Rose Lane. No further action was taken.

HISTORIC DISTRICTS COMMISSION - NOMINATIONS MADE

The City Clerk indicated five terms expire on the Historic Districts Commission on June 30 and all are eligible for reappointment. Ms. Babb nominated Dr. Julius Nimmons for reappointment. Ms. Block nominated Steve Stroud. Mr. Walters nominated Margie Haywood, Barbara Wishy, and Ardath G. Weaver. No further action was taken.

MAYOR'S COMMITTEE ON SERVICES TO THE HANDICAPPED - APPOINTMENT MADE

The Clerk indicated during the last meeting Mayor Upchurch suggested that Charles B. Brown, Jr. be appointed to this committee. The Clerk indicated that since this committee does not have a set number it would be appropriate to confirm Mr. Brown's appointment. Mr. Congleton moved confirmation of Charles B. Brown, Jr.'s appointment to the Mayor's Committee on Services to the Handicapped. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PARKS AND RECREATION ADVISORY BOARD - NOMINATIONS MADE

The City Clerk indicated one vacancy on the Parks and Recreation Advisory Board due to the resignation of Barlow Herget. Ms. Block nominated Dr. Phillip S. Rea. Mrs. Cates nominated Dot Jordan. Ms. Babb nominated Bryant Linsley. No further action was taken.

ARTS COMMISSION - NO ACTION TAKEN

The City Clerk indicated the terms of Raymond W. Dew, Jr. and Bill Bates expire August 5. Both are eligible for reappointment as far as length of service. The Clerk indicated Council Members received a copy of the attendance record. No nominations have been made. No nominations were made.

BOARD OF ADJUSTMENT - NOMINATIONS MADE

The City Clerk reported the terms of Harry Massey and David L. Haywood expire August 5, 1984. Neither are eligible for reappointment due to length of service. Ms. Babb nominated Johnnie Marie Whitfield Smith, Ridge Road. Mr. Upchurch indicated Micou Brown is an alternate member of the Board of Adjustment and he would like to suggest that Mr. Brown be made a regular member and declare a vacancy for the alternate member. Mr. Walters indicated he feels it is good for new people to come on as alternate members as this gives him them an opportunity to learn the work of the Board. Ms. Block indicated she has no qualms whatsoever about Mr. Brown and her statements have nothing do to with him or the personalities on the Board. She pointed out, however, the Board of Adjustment has just about as much power as the City Council and she feels that the Council should be very careful in setting rules about alternate members automatically moving up. She stated she has absolutely nothing against Mr. Brown and if some one wants to nominate him, that is fine. However, she does not feel it is good to say that alternate members would automatically move up to a regular member. Ms. Babb agreed pointing out that she feels as a matter of process the Council needs to go through the nominating process and have the Council vote on each appointment not just categorily move people from alternate to regular members. Mr. Keller nominated Micou Brown. Mr. Congleton nominated Mike Johnson, First Citizens Bank and Trust, 615 Hillsborough Street. Mr. Walters indicated Harry Massey did a great job on the Board of Adjustment representing northeast Raleigh and Raleigh as a whole. He pointed out, however, this will be another board that there is no one from the northeast serving on and he has an excellent candidate and nominated Don d'Ambrosi. Mr. Calloway nominated J. Henry Brown. No further action was taken.

HOUSING AUTHORITY - NOMINATIONS MADE

The City Clerk reported the term of Paul M. Moore expires July 20. The term of Charles W. Ward expires July 18. Both are eligible for reappointment. No nominations have been made. Mrs. Block nominated Paul M. Moore. Mr. Calloway nominated Charles W. Ward.

PLANNING COMMISSION - NOMINATIONS MADE

The Clerk reported the term of A. W. Solomon expires June 17. He is eligible for reappointment and his attendance record is good. No nominations have been made. Mr. Calloway nominated Mr. Solomon.

YOUTH COUNCIL ADVISORY BOARD - NOMINATIONS MADE

The Clerk reported the term Vickie Langley expires July 20. She is eligible for reappointment and her attendance report is good. No nominations have been made. Mr. Upchurch nominated Ms. Langley.

PLUMBERS EXAMINING BOARD - ADMINISTRATION TO MAKE RECOMMENDATION

The City Clerk reported all four terms on the Plumbers Examining Board expire July 1, 1984. The only person eligible for reappointment is Joe Thomas, journeyman plumber. The Clerk reported this Board requires two master plumbers and two journeymen plumbers. Mr. Walters indicated since this Board requires specific makeup, he would request that administration give the Council recommendations of people who are eligible and would be willing to serve.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

BID REQUEST 83-64 - PLUMBING ENGINE - TO BE REBID

Mr. Keller indicated the Law and Finance Committee recommends that all bids be rejected and this item be rebid. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION S-41-84 - SUNNYBROOK PLACE - REFERRED TO PUBLIC WORKS COMMITTEE

Mr. Keller indicated the Law and Finance Committee recommends that the Planning Commission's recommendation for denial be upheld and asked that the Public Works Committee go back into its previous minutes and pull the two lot subdivision issue, which was being considered, and make a determination as to whether they should pursue it. Mr. Keller indicated the committee had great sympathy on this item and the individual involved, but just did not feel that it could recommend approval under the present code. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb.

Mr. Walters indicated he felt the committee's recommendation is correct as there was only two choices approve it or deny it. He pointed out, however, if the Public Works Committee has any idea of whether they would be in favor of this two lot subdivision that maybe this item should be deferred and save the person the $75 subdivision fee. He suggested deferring action on this item until we get a report from the Public Works Committee on the two lot subdivision. Brief discussion took place after which, Mr. Walters made a substitute motion that Subdivision S-41-84 be referred to Public Works Committee to hold until action is taken on the two lot subdivision item. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - ANNUAL REPORT ACCEPTED; VARIOUS ACTIONS TAKEN

Mr. Keller reported the Law and Finance Committee recommends accepting the recommendations of the Human Resources and Human Relations Advisory Committee and to designate the Committee as the agency with the responsibility to review periodically the need for and placement of shelter services and to serve as monitor on the general issue of shelters for the homeless.

The Committee recommends no change in any of the present ordinances and requested that the Clerk for the Board of Adjustment notify the Human Resources and Human Relations Advisory Committee whenever applications to the Board are received. On behalf of the committee, Mr. Keller moved approval. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

HILLSBOROUGH STREET PARKING - REMOVED FROM THE AGENDA

Ms. Block indicated the Public Works Committee recommends removal of this item from the Agenda with no action taken. It was reported to the Committee that problems with parking that Hillyer Memorial Church had, have been worked out. On behalf of the committee, Ms. Block move the recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HOUSING CODE AND NUISANCE VIOLATIONS - NORTH CENTRAL AREA - ADMINISTRATION TO INITIATE ACQUISITION OF CERTAIN PROPERTIES

Ms. Block reported the Public Works Committee recommends that Administration initiate the acquisition of properties located at 309 Seawell Avenue, 801 East Lane Street, 1309 Pender Street, and 312 Hill Street for rehabilitation through the Community Development Program. On behalf of the committee, Ms. Block moved the recommendation be upheld. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

STORM DRAINAGE PROBLEMS - BRENTWOOD TODAY/GRAYWOOD COURT - ADMINISTRATION GIVEN DIRECTIONS; ITEM HELD IN COMMITTEE

Ms. Block reported the Public Works Committee recommends that when subdivision plans and rezoning requests are presented to the City Council, that the Staff advise the Council when the properties involved are in a flood plain area. It is recommended that the Corps of Engineers be requested to review the Marsh Creek watershed as a result of the increased development in that area. This would include a recommendation from the Corps on enlarging the culvert under Huntleigh Drive. Ms. Block moved the recommendation be upheld, pointing out that since the Public Works Committee met and made this recommendation, we have had a big storm in the City. This is an urgent matter and she would like to add to the motion that this request be made with urgency. Her motion was seconded by Mrs. Cates and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

Ms. Block indicated the committee did not discuss the next recommendation she is going to make, pointing out it is her personal recommendation and that is that the City Council direct administration to withdrawn the permits on this project until we get a report from the Corps of Engineers. She indicated she feels the developer will be cooperative in this matter, but does not feel that the City should allow any development until the Corps makes the restudy. Mr. Walters indicated he agreed there is a real problem but does not feel that we can withdraw permits that have already been issued. He indicated the developer has been cooperative and he feels will work with the Greywood Court problem. He stated, however, what he would like to see and he feels that we need a special committee on storm water problems. He indicated the City is already working on this, but that will not settle the problem. He pointed out as development occurs the flood plain lines will change and he would suggest that the Mayor appoint a special committee on storm water to meet in conjunction with the Public Works Committee. He indicated he felt members of the staff, Planning Commission, and citizens should be represented on this committee to work on storm water management. Mrs. Cates indicated as far as withdrawing permits is concerned she understands that the City can't legally do that. She indicated she would like to see this problem addressed on a watershed basis, suggesting the possibility of doing a study on one particular watershed and using that as a model for the City. She suggested leaving this item in Public Works Committee and directing the Public Works Committee to come up with how to address this problem, either through a special committee or a subcommittee of the Public Works Committee. Ms. Block withdrew her motion with it being agreed by general consensus to hold the item in committee for the committee to come up with ways to address this problem.

SUBDIVISION S-56-84 - LAYTON GLEN - APPROVED WITH CONDITIONS

Ms. Block indicated the Public Works Committee recommends approval of this subdivision as outlined in CR-5045 with the condition that the off-site sanitary sewer easement deed be obtained and that an easement be dedicated from Hammersmith Drive to Wellington Down for future connection if Wellington Down becomes a public street. On behalf of the committee, she moved the recommendation be upheld. Her motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motioned adopted.

PLEASANT GROVE CHURCH WIDENING - ORIGINAL PLAN MAINTAINED

Ms. Block reported the Public Works Committee recommends that the original plan calling for a 41-foot street be maintained, pointing out the committee was advised that Pleasant Grove Church Road is shown as a collector street in the Comprehensive Plan. On behalf of the committee, she moved the recommendation be upheld. Her motion was seconded by Mrs. Cates and put to a vote which passed unanimously.

REPORT AND RECOMMENDATION OF THE INTERGOVERNMENTAL LIAISON COMMITTEE

HAZARDOUS WASTE PRESENTATION - REFERRED TO ADMINISTRATION

Chairman Calloway reported the Intergovernmental Liaison Committee recommends that Administration develop ordinances to deal with locations where hazardous materials are used or stored in the City and locations where hazardous waste management activities may take place. It is recommended that this item be removed from the Committee's Agenda. (Council Members received a progress report on Hazardous Materials Preparedness Efforts in their Agenda packets.) On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ANIMAL SHELTER - POSSIBILITY OF JOINT CITY/COUNTY EFFORT - REMOVED FROM THE AGENDA

Chairman Calloway reported the committee recommends removal of this item from the Agenda with no action taken. On behalf of the committee, he moved the recommendation be upheld, pointing out the present arrangement seems to be working well and will be continued. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ESTEY HALL - CRANSTON DEVELOPMENT COMPANY - APPROVED - FUNDS APPROPRIATED

Chairman Calloway indicated the Intergovernmental Committee recommends the appropriation of funds for Cranston Development Company to determine the completeness of the plans and specifications for Estey Hall, the reasonableness of the projected cost for construction including the cost estimate to make the first two floors operational, and the reasonableness of the architectural fees. The Committee was advised the total cost would be $3,500 and that the Estey Hall Foundation has agreed to pay one-third of the cost. Source of funds - City Council Contingency. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Ms. Block and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1984) 359 B

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That the 1983/1984 Budget be amended as follows to reflect payment of 1/3 of cost of Cranston Development Company study of Estey Hall renovations:

Revenue:	01-1-0070-0198	From Estey Hall Foundation	$1,166.67
Expense:	01-2-1040-0908	Estey Hall Study	1,166.67

SIGN ORDINANCE - PROPOSED TEXT CHANGE - AUTHORIZED FOR JULY ZONING HEARING

Chairman Calloway indicated Council Members received in their Agenda packet a proposed text change to permit manual changeable copy tract identification signs which the committee recommends be advertised for the July zoning hearing. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Ms. Cates. Ms. Block questioned if manual changeable copy meant actually going out and changing the letters on the sign with it being pointed out that is correct. The motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

BRAGG STREET PROJECT - AGREEMENT WITH JOHN W. WINTERS AND COMPANY - APPROVED WITH CONDITIONS

Chairman Walters explained the Bragg Street project which covers approximately 9.75 acres located on the southeast corner of Bragg Street and Garner Road. He pointed out of this approximately 3.25 acres will be reserved by the City for a greenway for the future widening of Garner Road. He indicated the sales price is $230,092 and the committee recommends approval of the sale of this property to John W. Winters and Company based on the following negotiations and that the Mayor be authorized to sign:

1. The City agrees to waive tap fees and acreage fees and to provide curb cuts and parking pads. This shall be done through payment to the purchaser on completion of the improvements and the payments shall not exceed $127,500.

2. Closing must occur within 90 days.

3. Closing shall not occur prior to purchaser obtaining a commitment for financing both construction and permanent loans for at least lots 1 - 3 as shown on by the site plan provided by the pursuer.

4. City agrees to subordinate purchase money mortgage to an approved institutional lender. Any bank or savings and loan association doing business in North Carolina with assets in excess of 25 million dollars or any mortgage banker which is a subsidiary thereof, would be approved.

5. Minimum payment schedule as agreed upon.

6. Release schedule as agreed upon.

7. Site plan building plans must go through normal approval channels.

8. Development must be in substantial compliance with site plan for property dated February 18 and building plans approved by the City as No. 0778 for another site.

9. Site shall provide for sidewalks per site plan and the dedication of enough land to widen Garner Road.

On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HYMETTUS WOODS PROPERTY - EXCHANGE AUTHORIZED; ADMINISTRATION TO LOOK AT POSSIBILITY OF SIDEWALK ON DIXIE TRAIL

Mr. Walters indicated recently the City Council authorized a land swap relating to Hymettus Woods Park property. However, some problems had been encountered and the matter was referred back to Real Estate Committee. He called on the City Attorney who indicated he had met with the Attorney and the Director from the Nature Conservatory and they will agree to lift existing covenants so that the parking lot, fence, trail and killing of the posion ivy on the new section can be accomplished and construction of trails and killing of the posion ivy on the old section of the park can also be accomplished. Mr. Walters indicated with this information he would move that the City Council reconfirm its previous action to make this exchange. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted. See Resolution 537. NA

Mrs. Cates indicated there have been some concern in the community that the parking lot not be developed any further with City Attorney indicating they will not allow any further development. She indicated there has also been a request for sidewalks on Dixie Trail and she would ask that Administration be directed to look into that possibility. Mr. Walters pointed out that the parking lot will be on the Dixie Trail side of the bridge. After brief discussion the matter was referred to Administration.

REPORT AND RECOMMENDATION OF THE APPEARANCE COMMISSION

APPEARANCE COMMISSION ANNUAL REPORT - RECEIVED; BUDGET AMENDMENT AUTHORIZED

J. Myrick Howard, Chairman of the Appearance Commission, was at the meeting to present the Commission's 1983-1984 annual report. He indicated it has been a very busy year for the Appearance Commission and they appreciate the support offered them by the City Council. Mr. Howard highlighted the projects undertaken in '83-'84 including actions to protect Interstate 40, Hillsborough Street Task Force work, Sir Walter Raleigh Award for Community Appearance, parking lot landscaping, billboards, and the newsrack ordinance. He indicated, in addition, they were involved in special projects and specific site plan reviews, moving of trees that were donated, etc. He explained the expenditures of the Appearance Commission for FY '83 - '84 to date. Mr. Howard indicated, in the coming year, the Appearance Commission plans to continue and expand current programs as follows: Hillsborough Street Model Street Project. He indicated this is entering into the third stage and expressed appreciation to the Council for support on this project thus far. He indicated he feels this has shown that how a community looks determines whether people are interested in an area and indicated the ISA and Linpro, both indicated that the Hillsborough Street Project was one of the reasons they chose to purchase property on Hillsborough Street. He indicated another project they want to look at is the Downtown Boulevard, pointing out they plan to organize efforts of public and private groups to help improve the appearance of this entranceway. He indicated they want to get Downtown Boulevard back to its original appearance, pointing out at one time it was one of the prettiest entranceways into the City. He pointed, however, this will not be done overnight. He indicated another program they are working on is the Urban Tree Task Force pointing out they are seeing a lot trees being lost in the downtown area. He indicated a task force has been established with representatives of the Council, Parks Board, Historic Districts and Properties Commission as well as the Greenway Commission. He stated they also will be taking another look at the landscaping and buffering standards and plan to make recommendations and how to tighten up the existing ordinances or any recommended new ordinances. He explained the CP&L franchise will be up for negotiation during 1984 and they hope to make recommendations that primarily focus of aesthetics as it relates to this franchise. He stated, in addition, Raleigh's bicentennial will be in 1992 and it is time to start looking at this program now so that the things will be in place in time for the bicentennial. He stated they are

also developing informational programs to emphasize the benefits of landscaping and other appearance improvement programs, pointing out they plan to make the bicentennial a focal point for these presentations. He indicated, in addition, the Appearance Commission will continue its role, with the Planning staff and Administration, of the Sir Walter Raleigh award for Community Appearance. He stated they do have a specific recommendation and that is that a beautification project contribution account and an expenditure account be established for the receipt and expenditure of funds that the Appearance Commission receives in donations for projects. He indicated the Appearance Commission recommends that these donations be spent for landscaping materials and services along the City's major entranceways with proposed expenditures for any other reason to go before the City Council for specific approval. He indicated they plan for the funds to be handled by City Administration using the City purchase order process and in conformance with City requirements. He stated the Appearance Commission recommends that the City Council receive their report as information, endorse the '84-'85 programs as outlined and approve the '84-'85 recommendation regarding the donation and setting up of the special account.

Various Council Members commended Mr. Howard and the Appearance Commission for the work they are doing with Mayor Upchurch encouraging the Commission to move full speed ahead on the Urban Tree Program, Downtown Boulevard Project as well as parking lots. He indicated he felt these were very important. Mr. Congleton moved that the Council uphold the Appearance Commission's recommendations as outlined. The motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 358.

Brief discussion took place on the Bradford pear trees that have been relocated with Mr. Howard explaining the work and the hope that the trees will live pointing out there was no charge to the City, and even though it was late to move such large trees they felt they had nothing to loose.

REPORT AND RECOMMENDATION OF THE GREENWAY COMMISSION

GREENWAY MAINTENANCE POLICY - APPROVED AS AMENDED

David King, Chairman of the Greenway Commission, was at the meeting indicating in response to a citizen's concern over specific visibility problems on the Shelley Lake Trail and the City Council's concern over safety and maintenance along Greenway trails in general, a special committee of the Greenway Commission was formed. He indicated they met and made recommendations relating to information and awareness program to promote better understanding of greenway and safe use of the trails, receive feedback from users, begin analyzing reports of problems, nuisance, crime, etc., study the possibility of placement of emergency communication system alternatives, develop a visible greenway signage system, and develop clearing and maintenance policy standards to address the concerns of proper vegetation management. He indicated all of these recommendations have been acted upon, explaining the Greenway Commission has its first Greenway Appearance Day on Saturday, May 19 at Shelley Lake. He indicated during that day the staff and Greenway Commissioners distributed information and conducted a brief survey of the users that produce some very useful information. He indicated a 150 people participated in this survey and explained Council Members had received a copy of the results of the survey, pointing out one of the main problems relate to dogs and dogs not being on leashes. He indicated, in addition, the Park Rangers staff has started keeping a monthly incident report on Greenway trails that allows an analysis of the type problems. He indicated Council Members received a copy of that report. Mr. King stated the Park Rangers staff has begun a study of emergency communication system for greenways and parks and will be reporting their findings to the Greenway Commission and the Parks and Recreation Board. He stated the staff has redesigned the signage system to make the Park Ranger number and emergency communication number stand out. He stated, in addition, the Greenway Commission has developed an addendum to the existing Greenway policy that addresses the maintenance of vegetation concerns and he read the current Greenway maintenance policy and the suggested policy which is as follows:

"First, a standard vegetation clearing limit for trail construction should be established as shown on the attached schedule for an asphalt trail. A maximum width of 20 feet would be cleared. This would include the 8-foot paved surface and a 6-foot maximum shoulder on each side of the trail. Significant vegetation within this area may be preserved. Second, there should be selective thinning and/or growth control in the immediate area beyond the 20-foot clearing to reduce the impact of the "edge effect." This will prevent the growth of a wall of thick vegetation which cannot be visually penetrated. The thinning will include the removal of plants such as honeysuckle and blackberries and will visually open up the forest edge. Third, on a case-by-case basis, the Chief Park Ranger, the arborculturalist and the Greenway Planner will evaluate problem areas and take immediate actions, if necessary, to remedy the problem.

This type of response will be used in those areas where reports from users indicate that apprehension is high or where a combination of factors create areas for poor visibility."

Discussion took place on the standards with Mr. King indicating the standards in the proposal are the ones the City has been using on the trails. City Manager Benton suggested the following changes in the proposed vegetation clearing and maintenance standards. The section that reads "Third, on a case-by-case basis ..." should read as follows "Third, on a case-by-case basis, the Chief Park Ranger, the Arborculturalist and the Greenway planner will evaluate the problem areas and the Parks

and Recreation Department will take immediate actions, if necessary, to remedy the problem. Where there is disagreement on remedial actions for problem areas, the decision will be made by the City Manager or his designee." He indicated, in addition, the following words should be added at the end of the recommendation, "... Visibility, or where potential safety problems are identified by the City staff or where such is determined necessary by the City Manager for the purpose of assuring continuity of public utility service." Mr. Keller suggested adding a fourth provision to read as follows: "Fourth, when, in the judgement of the Director of Parks and Recreation, an extremely hazardous or dangerous situation develops, the Director of Parks and Recreation, after notifying the City Manager, may take immediate action. Mr. Keller moved acceptance of the Greenway Commission's report and approval of the vegetation, clearing and maintenance standards as amended by the City Manager and him at today's meeting. His motion was seconded by Ms. Babb. Brief discussion took place on the general safety policy for City facilities with City Manager Benton indicating each department head is responsible for safety provision in their area. Ms. Cates pointed out a lot of safety depends on adequate Parks Rangers and the Council may need to look at the budget to see if we have adequate Park Rangers. The motion, as stated, was put to a vote which passed unanimously.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

FALLS LAKE TECHNICAL SUPPORT - RETENTION OF CAMP, DRESSER, AND McKEE - APPROVED - FUNDS APPROPRIATED

The publicized problems with the storage capacity of Falls Lake are cause for substantial concern to the City of Raleigh. In trying to address the solution to this problem, extensive discussions will be undertaken with the State and Corps of Engineers. A wide range of water users will be in discussion with each other.

The City must be a strong advocate for protecting the water supply needs of the City and County and to be adamant about the level of raw water capacity committed to the City by the Corps of Engineers.

Recommendation: It is recommended that Council authorize retention of the firm of Camp, Dresser, and McKee to provide technical support for the project. It is estimated that this assistance will cost approximately $14,000. The following transfer of funds is therefore recommended:

From:		
84-2-1060-0601	EMJ Clearwell - Water Bond	$14,000.00
To:		
84-2-1060-0102	Falls Tech. Support	$14,000.00

City Manager Benton indicated the staff, principally the Public Utilities Director is working closely with the State with this problem. He indicated water capacity is similar to a budget in that you have completing needs and uses. He indicated it is felt that we could get benefits from retention of this firm to help vigorously support the City's position of protection of our water supply. Mr. Walters moved the Manager's recommendation be upheld. His motion was seconded by Mr. Calloway and after brief discussion, put to a vote, which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 355 TF 24.

PERFORMANCE STANDARDS - O&I, NEIGHBORHOOD BUSINESS AND BUFFER/COMMERCIAL - PUBLIC HEARING AUTHORIZED

At its April 17, 1984, meeting, the City Council adopted a zoning code amendment requiring site plan approval in the O & I-I, Neighborhood Business, and Buffer Commercial zoning districts. They referred the Staff's request to consider performance standards for these zones to a Work Session of the City Council.

Even if this item is discussed at Council's regular June Work Session, it would be too late to authorize a July hearing to add the standards. If the item is not discussed until the July Work Session, a hearing could not take place until September, with final adoption no sooner than October or November.

To shorten this process, the City Council is asked to authorize a text change hearing for July. This would allow for the City Council and Planning Commission to discuss the proposed text change and adopt it or a modification of it by August. A copy of the proposed standards was included in the Council Members' Agenda packets. Mr. Walters moved approval of the public hearing as outlined.

The standards recommended in the proposed text change are almost identical to those now contained in the Thoroughfare District recently adopted by the City Council.

If Council desires to review the proposed standards prior to authorizing a hearing for July, you may wish to refer this to a committee to review prior to the June 19, Council Meeting.

Recommendation: It is recommended that the proposed text change containing Performance Standards for the O & I-I, Neighborhood Business, and Buffer Commercial Zoning Districts, be authorized for a joint hearing by the City Council and Planning Commission at their July 1984, hearings. His motion was seconded by Ms. Cates and put to a vote which unanimously. The Mayor ruled the motion adopted.

RALEIGH/GARNER SANITARY SEWER AGREEMENT - AMENDMENT - AUTHORIZED

The Town of Garner has received an EPA Grant to build a waste treatment plant. When the plant is complete, the Town will not need to use its total allocated capacity in the Neuse River Wastewater Treatment Plant.

Included in the Council Members' Agenda packets was a proposed amendment which has been negotiated with Garner and approved by the Garner Board of Aldermen.

The impact of this revision is that the Town will reduce its allotted treatment capacity from an average daily rate of 2.10 million gallons to 0.6 million gallons per day. This capacity will revert to the City of Raleigh for its use when the Garner treatment facility is completed.

Recommendation: It is recommended that this amendment be approved. Mr. Calloway moved the Manager's recommendation be upheld. His motion was seconded by Mr. Walters. Brief discussion took place as to when Garner's treatment facility would be completed with City Manager Benton indicating he did not know and he feels that Garner is justified in not putting a date on reversion of their capacity because of the problems that may be encountered in constructing the plant. The motion, as stated, was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

CIVIC CENTER PLAZA - REQUEST OF YORK-HANNOVER - REFERRED TO THE DOWNTOWN COMMITTEE

York-Hannover, Inc., has requested that the address of their new building on the east side of the Civic Center Plaza be called "One Hannover Square," and be allowed to utilize an address which uses the name "One Hannover Square" as a street address. The address of the building should include the name of the plaza on which the building fronts.

Indications are that the plaza has never been formally named the "Civic Center Plaza," nor is it part of the Fayetteville Street Mall.

Council may wish to consider an appropriate name for the plaza area which can be used as an address for the buildings which will front on that plaza. York-Hannover may wish to propose that the name of the plaza be "Hannover Square," in which case the address of their new building would be "One Hannover Square, Raleigh," etc.

Regardless of the name given the plaza, the City will retain control of activities and events which occur on the plaza area.

Recommendation: It is recommended that the address of the plaza in front of the York-Hannover Building be named "Hannover Square," and that the address for the Hannover Building would be "One Hannover Square, Fayetteville Street Mall."

City Manager Benton indicated the City is almost through moving the utilities in the Plaza area and he understands York-Hannover has given their contractor notice to proceed with excavation, so it is a viable project. Mr. Walters moved the Manager's recommendation be upheld. His motion was seconded by Mrs. Cates. Ms. Block pointed out she feels that this is the citizen's plaza and she would like to have input from the citizens before the name is designated. She stated she would like for citizens to give Council Members written input on their feelings on the name. Ms. Babb indicated she had similar feelings pointing out she is not negative toward Hannover Square and she is very appreciative of the cooperative efforts the City has had with York-Hannover. She pointed out, however, we should have input from the Downtown Advisory Group, Historic Properties Commission or whatever, pointing out maybe we should have a name that relates to the history of Raleigh or the area in general. Ms. Babb made a substitute motion that this request be referred to the Downtown committee. Her substitute motion was seconded by Ms. Block. City Manager Benton indicated he also had some ambiguity about the request. He pointed out, however, that the Council should keep in mind that the City is trying to get people to developing the downtown area and we want to encourage development and people who develop in the downtown area do have to look for some type marketing strategy or some identity and that he what he was thinking about when making the recommendation. The substitute motion, as stated, was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

PARKS AND RECREATION FACILITY FEES - APPROVED WITH THE EXCEPTION OF SOCCER FIELD RESERVATIONS; SOCCER FIELD RESERVATIONS - REFERRED TO LAW AND FINANCE COMMITTEE

The Parks and Recreation Board just completed its annual review of the structure of fees and charges. A substantial number of items have been recommended for no change. Canoes and row boats at Shelley Lake were equalized and a slight increase in pedal boat fees on week days. Slight increases for certain activities at Durant Nature Park are shown. Team registration for major adult athletic fees is recommended to be raised from $190 to $200. The surcharge in these activities remains at $2 for City residents. The surcharge for non-City residents in these activities remains at $24.

These recommendations were voted unanimously by the Park Board on May 23, 1984.

In considering this proposal, the Council should refer to the 1984-85 proposed budget for the Amusement Fund. The deficit for the fee generating facilities is $690,000 for 1984-85. These proposed fees will not appreciably alter this situation. Such fund requirements reduce the opportunity for other facility needs which may become a priority concern of the Council. (A copy of the proposed material was included in Council's Agenda packets.)

Recommendation: Council may wish to refer this proposal to a committee for review. Administration received this information on May 29, 1984, and does not have a recommendation at this time.

City Manager Benton indicated there have been some discussion relative to the fees relating to soccer field reservation and the recommendation had come forward to the Parks and Recreation Advisory Board that the Soccer League be exempt from the reservation fee; however, the Parks and Recreation Board recommended the fees be applied to the Soccer League. Mayor Upchurch indicated because of the discussion on this item without objection he would refer to the Law and Finance Committee the portion of the fee charges relating to soccer field reservation. Brief discussion took place, after which, Ms. Block moved the fee schedule as presented, with the except of the soccer fees, be approved. Her motion was seconded by Mrs. Cates. Mr. Keller made a substitute motion that all the fee schedule, as presented on the material dated May 23, 1984, be approved. This substitute motion was seconded by Ms. Babb. Mr. Congleton indicated that he thought the fee schedule relating to soccer field reservation had been referred to Law and Finance Committee and if that is not the case he wanted to make a substitute motion. Mayor Upchurch indicated that the chair would rule that the soccer fee reservation item had been referred to Law and Finance Committee. Therefore, the motion by Ms. Block to approve the fee schedule with the exception of the soccer field reservation was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

CAMP DURANT - ADMINISTRATION AUTHORIZED TO NEGOTIATE CONTRACT WITH REYNOLDS AND ASSOCIATES

Requests for proposals, following Standard Procedures, resulted in a mailing of 76 letters. Fifteen proposals were submitted.

An analysis of the proposals results in the following recommendation:

1. Reynolds and Associates Architects-Planners
2. Frank Cross, Architect
3. Ramsay Associates

Other individuals and companies submitting proposals, listed alphabetically, are as follows:

1. Bartholomew Associates, Inc.
2. Boisseau Design Group/Architects
3. Deberry and Davis
4. Hackney, Sears and Associates
5. Hager, Smith and Huffman, Architects
6. Holloway - Reeves
7. Innovative Design
8. J. J. Rose Associates
9. McClure and McClure
10. Moore and Burton Architects
11. Owen F. Smith
12. Wesley M. Coble

Recommendation: It is recommended that the firm of Reynolds and Associates be retained for this project subject to Administration being able to negotiate a contract which would be brought to Council for approval. Mr. Calloway moved that Administration's recommendation be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - ADDITIONAL POSITION IN INSPECTIONS DEPARTMENT - APPROVED

Included in the proposed budget is a Building Inspector III position. The level of work load for the Inspections staff is at a substantial level.

Recommendation: It is recommended that the City Council approve the addition of this position so that recruitment can commence and allow the position to be a productive element during the summer. Because of the nearness to the end of the fiscal year, no additional funds are requested for this fiscal year. If approved, the annual position cost would be $16,805. City Manager Benton indicated it was felt that it would be better if we could go ahead and get this position on line. Mr. Congleton moved the Manager's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REFUNDING OF BONDS - VARIOUS ACTIONS TAKEN - RESOLUTIONS ADOPTED

City Manager Benton indicated the City did conduct the bond sale this morning and Finance Director Hill was at the meeting to answer any questions. He indicated the outstanding bonds are at a 10.96 percent interest rate and they were sold in 1982. He indicated bids were received this morning for $22,850 and four bids were received as follows: Chase/Manhattan/Wachovia - 8.89%; NCNB - 8.91%; Prudential-Bache - 8.95%; Citicorp - 9.00%. Finance Director Hill gave a brief history of the work on this refunding since mid-March and the interest rates that would be paid and funding recommendation for the escrow that would be forthcoming to the Council. Administration recommends that the City accept the interest rates and confirm the sales as well as call the outstanding bonds. Ms. Babb moved Administration's recommendation be upheld. Her motion was seconded by Mr. Congleton and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled motion adopted.

RESOLUTION NO. (1984) 539

"RESOLUTION APPROVING INTEREST RATES TO BE BORNE BY $22,850,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF RALEIGH"

WHEREAS, the Local Government Commission of North Carolina has informed the City Council that it has sold in the manner prescribed by law the City's $22,850,000 General Obligation Refunding Bonds, dated June 1, 1984, to _____, and that the contract of sale contemplates that the bonds shall bear interest as hereinafter provided; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Raleigh, as follows:

1. The Bonds hereinbefore described shall bear interest as follows:

Bonds payable in the year 1985, 8.70 % per annum;
Bonds payable in the year 1986, 8.70 % per annum;
Bonds payable in the year 1987, 8.70 % per annum;
Bonds payable in the year 1988, 8.70 % per annum;
Bonds payable in the year 1989, 8.70 % per annum;
Bonds payable in the year 1990, 8.70 % per annum;
Bonds payable in the year 1991, 8.70 % per annum;
Bonds payable in the year 1992, 8.70 % per annum;
Bonds payable in the year 1993, 8.90 % per annum;
Bonds payable in the year 1994, 9.00 % per annum;
Bonds payable in the year 1995, 9.00 % per annum;
Bonds payable in the year 1996, 9.00 % per annum;
Bonds payable in the year 1997, 9.00 % per annum;
Bonds payable in the year 1998, 9.00 % per annum;
Bonds payable in the year 1999, 9.00 % per annum;
and
Bonds payable in the year 2000, 9.00 % per annum;

2. This resolution shall become effective upon its adoption.

RESOLUTION NO. (1984) 549

"RESOLUTION CALLING THE OUTSTANDING RECREATIONAL FACILITIES BONDS, SERIES 1982, AND WATER BONDS, SERIES 1982, OF THE CITY OF RALEIGH"

WHEREAS, the City of Raleigh, North Carolina (the "City"), pursuant to The Local Government Finance Act and a bond order adopted by the City Council of the City on July 7, 1981, issued its $4,000,000 Recreational Facilities Bonds, Series 1982, dated July 1, 1982 (the "Series 1982 Recreational Facilities Bonds"), and $3,750,000 of the Series 1982 Recreational Facilities Bonds are outstanding; and

WHEREAS, the City, pursuant to The Local Government Finance Act and a bond order adopted by the City Council of the City on August 5, 1980, issued its $21,000,000 Water Bonds, Series 1982, dated July 1, 1982 (the "Series 1982 Water Bonds"), and $19,500,000 of the Series 1982 Water Bonds are outstanding; and

WHEREAS, the City, pursuant to the Local Government Finance Act, bond orders adopted by the City Council of the City on May 1, 1984 and resolutions adopted by said Council on June 5, 1984, authorized the issuance and provided for the sale of $22,850,000 General Obligation Refunding Bonds (the "Refunding Bonds") for the purpose of providing funds, together with cash of the City, to advance refund the outstanding Series 1982 Recreational Facilities Bonds and Series 1982 Water Bonds, respectively; and

WHEREAS, the City has determined to provide for the advance refunding, payment and redemption of the Series 1982 Recreational Facilities Bonds and the Series 1982 Water Bonds by depositing with First Union National Bank, as escrow agent (the "Escrow Agent"), cash and direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the Unitied States of America ("Government Obligations") in such amounts and maturing or redeemable at stated fixed prices as to principal and interest at such times so that sufficient moneys will be available from such principal and interest to pay, as the same mature and become due, all principal of and interest on the Series 1982 Recreational Facilities Bonds and the Series 1982 Water Bonds maturing on or prior to July 1, 1992, and to redeem on

July 1, 1992 at the redemption price of 102% of the principal amount thereof, plus accrued interest, the Series 1982 Recreational Facilities Bonds and the Series 1982 Water Bonds maturing after July 1, 1992; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Raleigh, as follows:

1. The City specifically and irrevocably elects to redeem, on or prior to their maturities, as the case may be, on July 1, 1992 all the Series 1982 Recreational Facilities Bonds and Series 1982 Water Bonds maturing on and after July 1, 1993. The Escrow Agent is hereby irrevocably authorized and directed to cause to be given notices of redemption, as set forth in the resolution authorizing the issuance of said bonds, of the Series 1982 Recreational Facilities Bonds and the Series 1982 Water Bonds.

2. A copy of this resolution shall be furnished to the Escrow Agent and to the paying agents for the bonds to be redeemed.

3. This resolution shall become effective upon its adoption.

TELECOMMUNICATIONS TOWER - CHAPEL HILL ROAD - HEIGHT AMENDED

The City Council has previously approved a permit for a communications tower on Chapel Hill Road. The permit included a maximum height limit of 350 feet.

A request has been received to amend the permit to allow the tower to be 420 feet. Council Members received a copy of the request in their Agenda packets.

City Manager Benton indicated the plan has been reviewed and has been recommended for approval by FAA; therefore, the Administration would recommend approval. Brief discussion took place on the exact location of the tower with it being pointing out it is presently outside the City limits but within the ETJ. Mr. Congleton moved approval of amending the permit to allow the tower to be 420 feet. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ATLANTIC AVENUE PROJECT - BRIDGES - BID AWARDED TO C. C. MANGUM, INC. - FUNDS APPROPRIATED

Bids have been received for the construction of the Atlantic Avenue railroad bridge and the Spring Forest Road railroad bridge. The bids are:

1.	C. C. Mangum, Inc.	$1,497,800
2.	Bowens Construction Company	$1,650,000
3.	Security Building Company	$1,655,000
4.	S. T. Wooten Construction Company	$1,669,000

The engineers, Bigger and Agnew, recommend award to C. C. Mangum, Inc., in the amount of $1,497,800.

An additional cost will be associated with the fee that will be required by the railroad. This arrangement is being negotiated.

Recommendation: It is recommended that the bid of C. C. Mangum, Inc., in the amount of $1,497,800 be accepted and that the appropriate fund transfer be approved to establish the contract account.

City Manager Benton indicated the bridge approaches are not included in this bid and Administration would be bringing back an additional item concerning the work of the railroad on this project. Mrs. Cates moved Administration recommendation be upheld. Her motion was seconded by Mr. Walters. Mr. Congleton questioned the completion date for the bridges with Chief Engineer Thomas indicating it is set at 24 months. However, hopefully the work will be completed within 18 months. The motion, as stated, was put to a roll call vote and resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 355 TF 24.

RALEIGH-APEX SANITARY SEWER AGREEMENT

City Manager Benton indicated work has not been completed on this item therefore he would like to hold discussion until a subsequent meeting and he would bring it back with a recommendation. Ms. Block questioned the paralleling of the Walnut Creek line and whether we could get some commitment to help. No further action was taken.

NORTH RIDGE ESTATES - EXTENSION OF RAINWATER DRIVE - FUNDS APPROPRIATED

On March 20, 1984, the City Council approved S-30-84, North Ridge Estates. In conjunction with the approval, the development was required to be responsible for making the connection of proposed Rainwater Drive to the existing Rainwater Drive to the south over the creek.

As part of this action, the Council agreed that the City would participate in the cost of the crossing of the creek in an amount not to exceed $49,942.

It is necessary to establish a budget account to designate these funds for Rainwater Drive. An agreement with the developer will be prepared and brought to Council for approval.

Recommendation: It is recommended that the following budget amendment be approved with the stipulation that any expenditures will be based on an agreement to be approved by the Council.

Revenue Account:		
32-1-0090-0220	Carryover Reserve	$49,942.00
Expense Account:		
32-2-5035-0100	Rainwater Drive	$49,942.00

Mr. Calloway moved Administration's recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 354.

ACREAGE FEE POLICY - IMPLEMENTATION - APPROVED; ADMINISTRATION TO FURNISH ADDITIONAL INFORMATION

The Council has adopted a major revision in the acreage fee policy. In the implementation, several problems have arisen which necessitate consideration.

First, the City has, for years, allowed developers to make "advance" acreage fee deposits with the City. These fees have been held and applied to each lot as it is developed. Conversion of these funds under the new acreage fee policy has resulted in substantial difficulties. The "advance" fee account has been an administrative problem. In addition, the City was implicitly indicating that it was accepting the acreage fee as satisfying the Code requirements when it allowed these payments to be made.

Recommendation: It is recommended that the advance acreage fee account be closed out by applying all fees to specific lots which have been subdivided at the rate of acreage fee which existed at the time the fee was paid by the City.

Secondly, individuals with projects under active construction are facing significant cost increases not foreseen when the project began as a result of the new policy.

Recommendation: It is recommended that individuals with a valid building permit, prior to the effective date of the acreage fee policy (April 23, 1984), be given six months (to October 23, 1984) in which to pay the acreage fees which were required prior to April 23, 1984. In accord with this recommendation, anyone getting a permit after April 23, 1984, must pay the new fees. In addition, those with building permits dated prior to April 23, 1984, who do not make payment by October 23, 1984, will have to pay the fees as prescribed under the new policy.

Ms. Block moved approval of the recommendations as outlined. Her motion as seconded by Mrs. Cates. Ms. Babb questioned the City's position in those cases where grading permits have been.issued, but the project is not at the stage of getting the building permits. City Manager Benton indicated there has to be a deliberate point of decision and City Administration felt that if a building permit had been issued that that is the that firm financial commitments have been made. He stated he was not sure how many grading permits are outstanding and not sure what our exposure would be with Ms. Babb indicating she felt some consideration should be given to those people who had their grading permits. She questioned how many people have outstanding grading permits now. She stated she did not think we should put a window on this, but she felt that maybe some consideration should be given to outstanding grading permits. She stated she would support what Administration is recommending, but is just asking that Administration bring a report. Mrs. Cates indicated this item was brought out of Public Works several weeks ago and she feels everyone knew that the item was pending and that might have something to do with the issuance of the grading permit. The motion, as stated, was put to a vote which resulted in all members voting in the affirmative and administration was asked to supply information.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

None.

REPORT OF MAYOR AND COUNCIL MEMBERS

CITY COUNCIL PRIORITY WORK PROGRAM - STATUS REPORT RECEIVED

Mayor Upchurch indicated he has been working with Administration to develop a status report of the Raleigh City Council priority work program. He indicated the programs have been identified as priorities for the City in 1984 and each has a progress report on the work which has been undertaken at this time. He stated this was for information only on the work that has been done in the field of water quality - Falls Lake, Transportation system improvements, economic development, downtown development, housing, zoning code update, and utility system improvement.

COMMITTEE OF 1985 - NAME ADDED

Mayor Upchurch indicated Mrs. Cates had submitted him a name of a person who she wishes to serve on the arena Committee (Committee of 85). Without objection, it was agreed that the name could be added.

SALES - WESTERN BOULEVARD/KENT ROAD - REFERRED TO ADMINISTRATION

Mr. Keller requested Administration to look into sales activities that are occurring on weekends on the corner of Western Boulevard/Kent Road in the location of the old Reelo station. He indicated one weekend oil paintings were being sold and the second weekend designer jeans were being sold. He indicated it looked like the same outfit, pointing out they were using the same sign both weekends. He asked Administration to check to see if the proper zoning and licenses have been secured.

ARTS COMPREHENSIVE PLAN - INFORMATION TO BE FORWARDED

Ms. Babb asked Administration to make sure that the various informations and discussions on a comprehensive plan for the arts or cultural plan for the city has been forwarded to the Downtown Advisory Committee, Downtown Development Corporation and others for their comments. Without objection, Administration was asked to make sure these groups receive their various reports.

DOWNTOWN DEVELOPMENT - REQUEST FOR INFORMATION - REFERRED TO ADMINISTRATION

Ms. Babb indicated she knew soon that the City will be tackling the revision of the zoning code and she feels that we have to take it on piece by piece. She indicated she would like for staff to break out pieces of the zoning code, subdivision code, various ordinances, etc. that relate to downtown, indicating in essence what she is asking is that staff pull together all parts of the code that relate to regulations that apply to the downtown area and put these together in one document, along with any changes that staff feels should be made to facilitate downtown development. She stated she would like to have this information in the next few weeks and she feels this may be a good way to start tackling the zoning code revision step-by-step. Mayor Upchurch indicated we have been talking about the zoning code revision for years and he assumed that staff has a lot of information and it would be good for staff to begin to assemble what they have or suggestions that have been made. Without objection, the item was referred to Administration.

SOUTHEAST RALEIGH - ECONOMIC DEVELOPMENT STRATEGY - STATUS REPORT REQUESTED

Ms. Babb indicated she would like to get from the Planning Department an update on the implementation of the economic development and other strategies coming out of Raleigh Tomorrow Task Force. She stated she just wanted some information as to where we are going with this item, what the Planning Department is thinking about and when we will be able to see some results. Without objection, Administration was asked to provide a status report.

NORTHBROOK SWIM CLUB - SEWER CHARGE - RELIEVED

Mr. Congleton indicated the Northbrook Swim Club ran into some problems filling their swimming pool through the normal process of using a fire hydrant. He indicated they had to use their own water hose and water meter so therefore, their bill has a sewer charge. Mr. Congleton moved that the City Council relieve the sewer charge relating to filling of the swimming pool but at the same time recommend that Northbrook Swim Club redouble their efforts and make sure they go through the normal procedures for filling the pool in the future. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

CABLEVISION - COMPLAINT - REFERRED TO ADMINISTRATION

Mr. Congleton indicated on Saturday, June 2, that Cablevision went out for quite a period of time and he received quite a few calls. He indicated he was told when you called the Cablevision number that the phone just rang and rang and there was never any answer or message. He asked that Administration check into this problem.

REQUEST AND PETITIONS OF CITIZEN - D. W. WEHRE ADDED

Mr. Walters asked as a point of personal privilege that D. W. Wehre be added to the request and petitions of the Night Agenda to discuss a storm water problem. Without objection, this was agreed to.

WEYERHAEUSER PROPERTY - U.S. 64 LANDFILL SITE - REFERRED TO ADMINISTRATION AND REAL ESTATE COMMITTEE

Mr. Walters indicated he was sorry to inform the Council that Weyerhaeuser is in the process of closing their operations in Raleigh at the U.S. 64 landfill site. He indicated he understands they plan to sell the property and he feels the City should pursue in getting the property from Weyerhaeuser, pointing out the City originally sold it to Weyerhaeuser. He asked that the matter be referred to Administration and Real Estate Committee for discussion. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SWIMMING POOL - USE BY FRED OLDS SCHOOL - REFERRED TO ADMINISTRATION

Mr. Calloway indicated he understands that the Fred Olds extended Day School would like to use one of the City's pools in their summer day care program. He indicated it is a 9-week program that starts June 18 and the involved parents have already paid the tuition but they are having a problem coordinating the use of the City swimming pool. He indicated they are willing to go or use the pool at any time and asked Administration to contact Susan Smith and try to work out this problem. Without objection, the item was referred to Administration.

MILLBROOK POOL - TO BE EXPEDITED

Mrs. Cates indicated the Parks and Recreation Advisory Board would like to suggest that the Millbrook Pool be moved ahead as soon as possible. The comments were received.

ZONING - BRITTANY WOODS AREAS - COMMENTS RECEIVED

Ms. Cates indicated an area of Brittany Woods has just been developed and part of the zoning is Shopping Center. She questioned if this zoning is appropriate for residential use and if not, who would initiate the down zoning on the portion of the Shopping Center property that is developing residential. City Manager Benton indicated that Shopping Center zoning would allow what they are doing. The comments were received.

AMERICA'S 400th ANNIVERSARY - REFERRED TO INTERGOVERNMENT COMMITTEE

Mrs. Cates indicated she has sent each Council Member a letter dealing with America's 400th anniversary celebration and asked that the matter be referred to the Intergovernmental Committee to be discussion at the next meeting. Without objection, the item was so referred.

FLOODING PROBLEM - BILTMORE/ROCHESTER HEIGHTS AREA - REFERRED TO ADMINISTRATION

Mr. Calloway asked Administration to work with a small group of people in the Biltmore/Rochester Heights area relative to flooding of Walnut Creek. He indicated he knew the Corps of Engineers is in the process of working on this but questioned if there is anything that could be done as a temporary measure, pointing out during the recent rains, they had severe problems. Without objection, the item was referred to Administration.

FOOTPATH - GARNER ROAD - ADMINISTRATION TO CHECK

Mr. Calloway indicated there is a small footpath that crosses Walnut Creek at Garner Road bridge. He indicated pedestrian traffic still uses this bridge and he feels that it needs to be shored up or repaired to alleviate danger. Without objection, the item was referred to Administration.

PARKING - FOR CITY COUNCIL MEMBERS - INFORMATION RECEIVED

Mr. Calloway indicated with the construction of the new parking deck the City Council is parking in a place that has caused inconvenience to Council Members who come in from meetings, etc. particularly on bad weather days, etc. He stated he did not want to sound self-serving, but he feels it would be better if there could be a more convenient place for Council Members to park when coming in and out of the building. City Manager Benton indicated he has arranged for City Council Members to park in the paved area between the two Municipal Buildings. He indicated there is construction going on and so there probably will be dust and debris, but the area is being marked off for City Council parking only.

INSPECTIONS - VARIOUS ISSUES - REFERRED TO ADMINISTRATION

Ms. Block indicated several things have come up lately that causes her concern such as construction on easements, construction of duplexes on single-family lots, etc. She indicated many of these cases end up before the Board of Adjustment and she would like to know if the Permit Department is adequate or why these type items keep showing up on the Board of Adjustment Agenda. She indicated, in addition, Darryls on Hillsborough Street has just built a parking lot on an O&I property adjacent to a residential neighborhood. She indicated she understood that the parking lot was built without a permit being issued and not in conformance with the City standards. She pointed out they have two big dumpsters right adjacent to the residents and there is a problem with noise, etc. and she feels it should be looked into. She indicated all of these things have to do with permits and inspections and she would like for the Administration to suggest some action to alleviate these things from occurring. Without objection, the item was referred to Administration.

REPORT OF CITY CLERK AND TREASURER

MINUTES - MAY 15 COUNCIL MINUTES AND ZONING HEARING - APPROVED AS AMENDED

The City Clerk indicated Council Members received copies of the minutes of the May 15 Council Meeting and joint zoning hearing. Mrs. Cates indicated on Page 25, last paragraph, there is a notation "Mr. Council" and she feels it should be "Mr. Congleton." With that amendment, the minutes were approved as presented.

PRELIMINARY ASSESSMENT ROLLS 1008 AND 205 - APPROVED - PUBLIC HEARING SET

Council Members will receive the following preliminary assessment rolls which are recommended for adoption which would set a public hearing to consider confirmation during the July 3, 1984, Council Meeting:

Sewer AR-1007 - Delta Lake Drive Area
Sidewalk AR-205 - Jones Street

Mr. Walters moved approval of the preliminary assessment rolls as outlined. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1984) 540

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SEWER ASSESSMENT ROLL NO. 1007

WHEREAS, by Resolution No. (1983) 171 adopted by the City Council on February 15, 1983 the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: installation of approximately 1,100 feet sanitary sewer main within a 20-foot easement beginning at Delta Lake Drive and continuing northward to Fire Station 18 on Pleasant Valley Road.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $11,035.05.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is footage of property abutting the extension.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
Carlton Midyette, Jr.	1	0099899		680.69	$8,529.05
City of Raleigh	2	0102352		200.00	2,506.00

Cost Per Foot: $12.53

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1007 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 3rd day of July, 1984, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

RESOLUTION NO. (1984) 541

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SIDEWALK ASSESSMENT ROLL NO. 205

WHEREAS, by Resolution No. (1982) 835 adopted by the City Council on February 16, 1982, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property assessable therefore;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of sidewalks on the south side of Jones Street from Linden Avenue to Tarboro Road.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $9,423.26.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting on both sides of the street. The basis for the assessment is front footage.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	LOCATION OF IMPROVEMENT	AMOUNT ASSESSED
Vester W. Walker	1			E. Jones St.	$ 939.05
Charles & Cora Adams	2	0000212		E. Jones St.	297.50
W. B. & Mildred Nivison	3	0050946		E. Jones St.	630.00
Edward & Martha Carson	4	0034335		903-905 E. Jones St.	315.00
Mary P. Wright	5	0017928		907 E. Jones St.	376.25
Wayne A. Stocks & Etal.	6	0041751		E. Jones St.	341.39
Bessye M. Burwell & Etal.	7	0010599		925 E. Jones St.	175.00
Bessye M. Burwell & Etal.	8	0010601		E. Jones St.	175.00
Bettie & Judge Tanner	9	0017558		E. Jones St.	367.50
Hallie Rand, Jr.	10	0058426		1003 E. Jones St.	175.00
John E. Hawes	11	0029418		1005 E. Jones St.	192.50
Lula Watson & James Miller	12	0074902		E. Jones St.	455.00
Katie & Wade Hunter	13	0034324		1013 E. Jones St.	119.00
Alfred & Bernice Perry	14	0054420		552 E. Jones St.	154.00
Willard Floyd, Jr.	15	0057054		E. Jones St.	371.00
W. P. Gurley	16	0039520		702 E. Jones St.	122.50
Charles G. Irving, Sr.	17	0022578		704 E. Jones St.	145.95
Elizabeth B. Gurley, Trustee	18	0027271		706 E. Jones St.	140.00
Norman K. & Evelyn Stanley	19	0034260		708-710 E. Jones St.	287.35
W. B. & Mildred Nivison	20	0050931-2		802-814 E. Jones St.	700.00
Seth B. Gaskill, Jr.	21	0072955		E. Jones St.	175.00
Mary B. Gurley	22	0029982		902-904 E. Jones St.	175.00
Sylvester O. Clifton	23	0013550		906 E. Jones St.	175.00
Theodore R. Clifton	24	0013553		908 E. Jones St.	210.00
Martha G. H. Goodson	25	0030718		910-912 E. Jones St.	169.75
Martha G. H. Goodson	26	0030719		916-918 E. Jones St.	146.30
Martha G. H. Goodson	27	0030720		920-922 E. Jones St.	152.95
Mary E. Wilder	28	0030705		E. Jones St.	241.50
Ira Dell Poe	29	0067969		1002 E. Jones St.	260.75

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	LOCATION OF IMPROVEMENT	AMOUNT ASSESSED
Richard & Anne Hardison	30	0074850		1004 A-B Jones St.	172.02
Cleora Parrish	31	0053125		1006 E. Jones St.	239.00
W. A. Myatt	32	0049908		1008 E. Jones St.	260.00
Angie Sturdivant	33	0068699		1012 E. Jones St.	217.00
David & Elsie Edwards, Jr.	34	0020136		1014 E. Jones St.	350.00

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160-A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six per cent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 205 is hereby ordered filed in the Office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 3rd day of July, 1984 at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assignments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

TAXES - REBATES AND/OR REFUNDS - RESOLUTIONS ADOPTED

Council Members received four proposed resolutions relating to tax rebates and/or refunds which are recommended for adoption. It is also recommended that the listing as submitted by the Wake County Tax Supervisor for refunds made during March for clerical error purposes only be approved. Mr. Keller moved adoption of the resolutions and listing as submitted. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. They Mayor ruled the motion adopted.

RESOLUTION NO. (1984) 542

A RESOLUTION APPROVING RELIEF OF INTEREST AS DESCRIBED

WHEREAS, pursuant to G.S. 105-331 interest was assessed against the property owners listed below for failure to list their taxable property during the regular listing period; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that this interest should be excused; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the interest assessed against the property of the following named persons be and the same is hereby relieved as shown:

YEAR	TAXPAYER	ACCOUNT NO.	INTEREST	RECOMMENDATION
1983	Macy, Vance Vanhoy, Jr.	01-2-5955839	$ 1.34	Approved
1983	Peele, Elton R.	01-2-0054004	18.79	Approved

Section 2. That the City/County Tax Collector and/or the City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

RESOLUTION NO. (1984) 543

A RESOLUTION APPROVING TAX EXEMPTION AS DESCRIBED

WHEREAS, pursuant to N.C. General Statutes 105-275(10) & (11), exemption from taxation was available for the property owners, listed below; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to request relief in a timely manner was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following be approved for exemption from taxation:

YEAR	TAXPAYER	AMT. OF VALUE	RECOMMENDATION
1984	Cherokee Products Co.	$1,693	Approved
1984	Hardy Salt Co.	898	Approved

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

RESOLUTION NO. (1984) 544

A RESOLUTION ADJUSTING, REBATING OR REFUNDING PENALTIES AND RELIEVING INTEREST FOR LATE LISTING OF PROPERTY FOR AD VALOREM TAXES

WHEREAS, pursuant to G.S. 105-331, a 10% penalty was assessed against the property owners listed below for failure to list their taxable property during the regular listing period; and,

WHEREAS, each of said property owners has shown to the satisfaction of the City Council that their failure to list on time was excusable; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 10% penalty assessed against the property of the following named persons be and the same is hereby adjusted, rebated or refunded as shown:

YEAR	TAXPAYER	ACCOUNT NO.	TAX VALUE	RECOMMENDATION
1984	J. William & Frances S. Daniel	01-2-0016582	$4,367	Relieved
1984	Robbie C. Gardner	01-2-0024209	8,340	Relieved
1984	Alexander S. & Sally A. Dydula	07-2-0118670	5,249	Relieved
1983	Roderic Anthony Esmonde	13-2-5412219	8,620	Relieved
1984	Herman R. & Anne M. Geisler	01-2-0010782	11,560	Relieved
1984	Bryan W. & Lucy B. Laffitte	01-2-5257935	2,950	Relieved
1984	Howard Craig Marks	01-2-5251158	7,360	Relieved
1984	Thomas Leake & Christine Miller	01-2-0105041	4,671	Relieved
1984	W. M. & Myrtle J. Moser	13-2-5257932	3,610	Relieved
1984	Michael H. & Nancy W. Roebuck	01-2-0060819	3,151	Relieved
1984	Jack L. & Leona C. Wrenn	01-2-0031750	4,872	Relieved

Section 2. That the City/County Tax Collector and/or the City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the City Council.

RESOLUTION NO. (1984) 545

A RESOLUTION REFUNDING TAXES AS SET FORTH HEREIN

WHEREAS, the proper tax authority of the City of Raleigh has reported to the City Council that certain taxes appearing upon the tax records of the City of Raleigh, listed below, should be refunded for the reasons given; and

WHEREAS, the City Council finds as a fact that the reason in each instance for the refund of the tax is true, and that the same should be allowed; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following taxes heretofore assessed be and the same ordered refunded as may be indicated below:

YEAR	TAXPAYER	ACCOUNT NO.	AMOUNT OF REFUND	REASON FOR REFUND
1983	Nichols, James Clifton	01-2-5204118	$ 22.14	Error-Illegal Billing
1983	Agner, Mary Ruth	13-2-5400305	7.52	Error-Illegal Billing
1983	Allen, Leroy Jr.	01-2-0001411	285.08	Error-Illegal Billing

YEAR	TAXPAYER	ACCOUNT NO.	AMOUNT OF REFUND	REASON FOR REFUND
1983	Williams, Genesee Wilder	01-2-0077401	7.87	Error-Illegal Billing
1982	Williams, Genesee Wilder	01-2-0077401	8.46	Error-Illegal Billing
1981	Williams, Genesee Wilder	01-2-0077401	9.04	Error-Illegal Billing
1980	Williams, Genesee Wilder	01-2-0077401	9.71	Error-Illegal Billing
1979	Williams, Genesee Wilder	01-2-0077401	9.82	Error-Illegal Billing
1978	Williams, Genesee Wilder	01-2-0070401	10.22	Error-Illegal Billing
1983	Baird, Robert C. & Barbara S.	01-2-0003339	10.36	Error-Illegal Billing
1982	Baird, Robert C. & Barbara S.	01-2-0003339	10.26	Error-Illegal Billing
1981	Baird, Robert C. & Barbara S.	01-2-0003339	10.15	Error-Illegal Billing
1983	Barclays Americal Leasing	01-1-5197997	128.06	Error-Illegal Billing
1983	Bradsher, Charles Delaine & Claire	01-2-0007588	115.90	Error-Illegal Billing
1983	Fashion Center of NY, Inc.	01-1-5182811	285.00	Error-Illegal Billing
1983	Koptizke, Sally Glynn	07-2-5422586	107.95	Error-Illegal Billing
1983	Roberson, Robert C. & Betty M.	01-2-0060227	129.77	Error-Illegal Billing
1983	Thames, Paul K., Jr. & Anne O.	01-2-0097024	26.61	Error-Illegal Billing
1982	Thames, Paul K., Jr. & Anne O.	01-2-0097024	26.33	Error-Illegal Billing
1981	Thames, Paul K., Jr. & Anne O.	01-2-0097024	26.05	Error-Illegal Billing
1983	West Brothers Transfer & Storage, Inc.	01-1-5032047	349.17	Error-Illegal Billing

Section 2. That the City/County Tax Collector and City Revenue Collector are authorized and directed to correct the tax records by making appropriate entries thereon that such penalties are rebated or refunded by order of the Raleigh City Council.

SURPLUS PROPERTY - 2904 LUCERNE PLACE - RESOLUTION AUTHORIZING SALE ADOPTED

On January 17, 1984, the City Council authorized the abandonment of an unused sanitary sewer easement on property located at 2904 Lucerne Place and directed Administration to negotiate a price and advertise for upset bids. This action occurred and the owner of the property, Jim Farthing, was ready to purchase the sewer easement. However, it was learned that Mr. Farthing was a City employee, therefore, during the February 7, 1984, Council Meeting, the City Council rescinded that action, as the City cannot enter into a contract with a City employee.

Mr. Farthing is no longer a City employee and has offered $50 (cost of advertising, etc.) for the unused sanitary sewer easement on his property. It is recommended that the City Council reinstate the previous action of declaring this property surplus so that the upset bid procedure can continue and the property sold. Mr. Walters moved approval as recommended. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1984) 546

A RESOLUTION TO AUTHORIZE THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF RALEIGH

WHEREAS, the City of Raleigh has acquired surplus property, said property being described more fully as follows:

Unused Sanitary Sewer Easement located at 2904 Lucerne Place

WHEREAS, Jim Farthing has offered to purchase said property for the price of $50.00; and

WHEREAS, Chapter 160A-266 et seq. of the North Carolina General Statutes permits the City of Raleigh to sell said property subject to upset bid provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the City of Raleigh will sell the hereinbefore described property to Jim Farthing for the sum of $50.000 provided that no upset bid in the amount prescribed by law is entered within 10 days of the publication of this notice of sale.

Section 2. That, in the absence of an upset bid as provided by law, the Mayor be authorized to execute the instrument of conveyance.

EXECUTIVE SESSION - EMPLOYEE EVALUATION - HELD

Mr. Walters moved the City Council go into Executive Session to discuss employee evaluations of the City Manager, City Attorney, and City Clerk. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The City Council went into Executive Session at 4:15 in Room 201 of the Municipal Building.

At 6:00 p.m., the City Council came out of Executive Session and announced the meeting adjourned to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

The City Council of the City of Raleigh met in regular reconvened meeting on Tuesday, June 5, 1984, in the Council Chamber of the Municipal Building, 222 West Hargett Street, with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and the following items were discussed with action taken as shown.

REQUEST AND PETITIONS OF CITIZENS

UNSAFE BUILDING DEMOLITION - O'KELLY STREET - NO ACTION TAKEN

Margaret Rose Murray had requested permission to discuss costs for demolition involving property on O'Kelly Street. Ms. Murray was not at the meeting; therefore, the item was removed from the Agenda with no action taken.

HOUSING FOR SENIOR CITIZENS - 500 BLOCK OF EAST EDENTON STREET - REFERRED TO PUBLIC WORKS COMMITTEE

Pete Wilder, representing Wake County Council on Aging, indicated they have been working with two elderly people who live on East Edenton Street, one at 554 East Edenton Street and the other across the street. He indicated one of the residents is 93 years of age and the City is in the process of condemning her home. He pointed out this lady is on a set income and the Wake County Council on Aging does not have the wherewithall to make the necessary improvements. He indicated the other is an 87 year old lady who lives on a set income also. He pointed out these two houses are about two blocks from the CD area and during the last several months the Wake County Council on Aging and Wake Opportunities have done some work but cannot bring the houses in compliance. He indicated the roof, the floors, and the electrical work are questionable. He stated they are working with the CD Department with the hopes that there may be some funds or some help available. In response to questioning, Mr. Wilder indicated both of these people own their homes and have lived there for years and just do not want to move. Mr. Walters pointed out that this area is undergoing some drastic changes and within a few years may not be suitable for residential. Mr. Wilder again indicated the people did not want to relocate basically because of their age. Brief discussion took place with Mr. Calloway indicating there are several locations in this area in Public Works Committee to look at with the thought of acquiring and he would request that this item be referred to Public Works Committee to discuss along with the other problems in the area. Without objection, the item was so referred.

BICYCLE RACES - CAROLINA VELO CLUB - APPROVED WITH CONDITIONS

Phil Templeton, representing the Carolina Velo Club, was at the meeting to ask permission to utilize city streets on June 10, 17, 24 and July 1 for bicycle races. He indicated these races are sanctioned by the Federal Association and they will provide insurance, etc. He indicated he had tentative approval of the businesses in these blocks and would go back to them if the Council approves utilizing the streets. He stated, in addition, he has talked with the Police Department and this is the same route they have previously used and the police did not voice any objection. City Manager Benton indicated the races are planned to begin at 10:00 a.m. and end at Noon and would utilize one lane of Spring Forest Road between Green Road and Leigh Drive, Green Road between Leigh Drive and Spring Forest Road. He stated event sponsors had agreed to provide monitors for each intersection and to secure the area by signs and barricades supplied by them. Mr. Walters moved approval as outlined by the Manager. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ENCROACHMENT - NEWS AND OBSERVER DISTRIBUTION FACILITY - APPROVED CONDITIONALLY

G. Milton Small, III was at the meeting, pointing out with the construction of a new distribution facility at the northwest corner of Salisbury and Martin Streets, the News and Observer desires an encroachment of three feet into the existing sidewalk in order to install planters boxes to allow planting of trees to replace the trees moved during demolition. He explained the remaining sidewalk would be 8½ feet wide. The planters would be made of brick to match the building and will generally be 12 to 36 inches above grade. He presented a rendering showing the exact location of the various proposed planter boxes. City Manager Benton indicated Administration has no objection if the City Council wishes to approve this subject to the standard encroachment agreement, pointing out we would have 8½ feet of sidewalk left at the encroachment. Ms. Block indicated the landscaping the News and Observer has done in the past has been an asset to this area and she would hope this would to, therefore, she would move approval subject to the standard encroachment agreement being entered into. Her motion was seconded by Mr. Keller and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SIGN ORDINANCE - QUESTIONS RELATIVE TO MINIMUM SIZE LETTERS - REFERRED TO LAW AND FINANCE COMMITTEE

Todd Huvard was at the meeting and presented a photograph of a sign his company has built for Dorchester Village Office Condominiums. He indicated the words on this sign "Office Condominiums" are only 2½ inches tall and the new sign ordinance requires all letters to be at least four inches high. He indicated other than that the sign is within all restrictions of the City of Raleigh sign ordinance. He stated this sign has already been made and was put up and then they learned it did not comply with the new ordinance. He stated he is at the meeting to request some relief in order to be able to put the sign up and also to work to change that section of the code so it would not be so ludicrous. He indicated if he were to make all of the words on the sign at least four inches high, then they would not fit into the 16 square feet allowed by the ordinance. Discussion took place on this section of the ordinance with Mayor Upchurch indicating the Council discussed this very deliberately. He stated the City did not want such small letters that it would cause traffic hazards by people slowing down trying to read the signs. He indicated this section was studied long and hard. Mr. Walters explained when this was discussed, the main discussion related to the size of the signs as the City did not want large signs in the Office and Institution districts. He stated, however, in his opinion the four-inch minimum size letter is dumb. He indicated this company has been making signs of this type for a number of years and they were probably working on this sign prior to the ordinance change and questioned if it could be grandfathered with the City Attorney indicating there was no grandfathering provisions. Mr. Huvard indicated he is all for the City Sign Ordinance; however, in this instance, there are signs all over the area that have slipped through the Inspections procedure that have letters that are less then 2½ inches. He stated this particular sign is to go at the end of a cul-de-sac; therefore, it would present no problems with people slowing down trying to read it. He stated he has substantial financial involvement and he would like to find some way to be allowed to put up this sign. City Attorney McCormick indicated the sign could be put up without the words "Office Condominiums" with Mr. Huvard indicating there is no way to remove those words from this particular sign explaining the construction of the sign. After brief discussion, Ms. Babb moved that this matter be referred to Law and Finance Committee to look at the problem to see if some recommendation could be made. Without objection, the item was referred to Law and Finance Committee.

STREET IMPROVEMENTS - GREYSON STREET - RESOLUTION OF INTENT ADOPTED

A petition has been received for paving 27-feet back to back, curb, and gutter, on Greyson Street from Dacian Road to Rose Lane. The petition was signed by four out of five property owners representing 69% of the lineal frontage. The next step, if the Council so desires, would be adoption of a resolution of intent setting a public hearing to consider the proposal. Mr. Walters moved adoption of the Resolution of Intent as outlined. His motion was seconded by Mrs. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Resolution 547. NA

STORM WATER PROBLEMS - NORTHSHORE SUBDIVISION - REFERRED TO PUBLIC WORKS COMMITTEE

D. W. Wehrle, representing the Northshore Neighborhood Association, indicated they have previously expressed their concern regarding the approved plans for Calvary Drive/Limerick Road extention in a letter to the Raleigh City Engineer on May 17, 1984. He indicated specifically they are concerned that the change from one 18-inch diameter pipe to three 60-inch pipes will eliminate storm water retention which has existed north of Old Millbrook Road bed - now the Calvary Drive extension. He indicated they feel this change will cause greatly increased flow volume and velocity downstream. He indicated they believe the flow conditions which existed on the New Hope tributary of Marsh Creek on Tuesday, May 29 were caused by the open excavation for the three 60-inch diameter pipes. He stated the increased flow volume and velocity caused silt deposits at the head of Northshore Lake to double in size. He stated they believed the three 60-inch diameter pipes are too large, both from the standpoint of the 100 year flood boundary and from the standpoint of downstream storm water piping. Therefore, they request the City Council complete an immediate study of the New Hope tributary including a recommendation on decreasing the pipe size under Calvary Drive. They also request that the developer be required to immediately provide flow control and adequate soil erosion measures until the roadway is stabilized. He explained the existing storm water drainage pipes and channels under roadway decrease in size downstream from Calvary Drive and they questioned if the existing floodplain boundaries reflect the daming effect of these downstream restrictions.

Mayor Upchurch indicated this matter was referred to the Public Works Committee this afternoon, with Ms. Block pointing out this particular item came out of a tour the committee made of the area and she thinks everyone realizes what the problem is and the overall matter is in Public Works Committee. Mr. Wehrle indicated he had a list of some other items that the Public Works Committee might concern, that is some information that is available. Mrs. Cates pointed out her feeling is that we should have a watershed study and she would like to have any information that Mr. Wehrle might have and any pictures he may have took of the flooding area. She stated, in her opinion, we are going to have to consider adding impoundment facilities back to our code. Mr. Walters urged the Public Works Committee to discuss this item, pointing out it is urgent that some action be taken.

PARKS AND RECREATION - VARIOUS COMMENTS - RECEIVED

Carole Sawacki indicated she was at the meeting to explain three items that require no money or problems for the City Council. She explained in the past the Sports Foundation, Inc. awards have been presented to various Parks and Recreation Departments throughout the country who have shown outstanding Parks and Recreation Programs. She explained in 1976 Raleigh was a gold medal winner and in 1982 and 1983 Raleigh was recognized for its various programs. She indicated again in 1983 Raleigh was nominated by Oxford Sporting Goods and has been told that it is one of the top four programs in the 200 cities that were entered in the competition. She explained that now the City is putting together a narrative and slide show for the final competition. She indicated in her opinion four elements make Raleigh a leader in the Parks and Recreation Program and they are the excellent staff, good citizens board, exceptional administrative support and an able and concerned elected body. She commented Steve d'Mastre, of the Parks and Recreation Department, who was responsible for the narrative that helped win the 1976 gold award and pointed out he will be working on the narrative and slide show for the 1983 competition explaining he is a very talented and energetic person and hopes that he is remembered when the Council is considering the budget.

Ms. Sawacki indicated on May 4-6, 1984 the 14 Annual U.S. Masters Field and Track Meet was held in Raleigh with participants from 12 different countries. She presented Mayor Upchurch with a U.S. Masters gold medal for his support and work in this program. She indicated recently when Mayor Upchurch was in England, she was upset to see him with the other elected officials and Mayor Upchurch did not have the appropriate symbol of the office. Therefore, she had made a ceramic medal for him and presented the medal to the "Lord Mayor."

Ms. Sawacki explained that June is National Parks and Recreational Month and this year we will have the "Run for the Oaks" held on Saturday, June 23. She presented brochures on the race and explained there has been a lot of help from various garden clubs, Holiday Inns, etc. She commended them for their work, explaining the proceeds from Run for the Oaks will go to buy trees for the City. She explained different companies who have donated awards and the various awards in the different categories. She indicated Betsy Hinnant, of the Research and Information Office, has been very helpful in promoting this and sending out something in the water bills. She stated Ms. Hinnant's office has always been very reliable and helpful in the various activities.

Mayor Upchurch indicated earlier in the afternoon he presented a proclamation proclaiming June as Parks and Recreation Month in the city and it was given to Councilperson Cates who is the liaison for the Parks and Recreation Board, but Mrs. Cates has asked that it be presented to Ms. Sawacki. Mrs. Cates expressed appreciation to Ms. Sawacki for her citizenship and her active volunteer work in the City over the past years.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNFIT BUILDING - 303 SOUTH PETTIGREW STREET - 30 DAY EXTENSION GRANTED

Housing Inspection Supervisor Bartholomew indicated on May 15 the City Council adopted an ordinance declaring the dwelling at 303 South Pettigrew Street unfit. He indicated the ordinance would become effective June 6. He stated the owner is located in New York and she is very concerned about this and she does not want her house placarded. He indicated she had called three times and sent several letters about the matter, pointing out the owner is trying to get the family to vacant the house so repairs can be made; however, they need a little additional time. Brief discussion took place and Mr. Calloway moved adoption of an ordinance which would delay the affective date approximately 30 days in order to give the owner an opportunity to do the work. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1984) 359

AN ORDINANCE TO AMEND THE EFFECTIVE DATE OF ORDINANCE NO. (1984) 352, RELATING TO PROPERTY AT 303 SOUTH PETTIGREW STREET.

WHEREAS, the City Council, on May 15, 1984, adopted Ordinance No. (1984) 352 declaring the property at 303 South Pettigrew Street unfit; and

WHEREAS, the effective date of Ordinance No. (1984) 352 is June 6, 1984; and

WHEREAS, efforts are underway to make repairs at said dwelling and additional time is needed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RALEIGH:

Section 1. That the effective date of Ordinance No. (1984) 352 be amended to be July 4, 1984.

Section 2. That no other portion of Ordinance No. (1984) 352 is amended.

Section 3. That this ordinance shall become effective June 5, 1984.

MATTERS SCHEDULED FOR PUBLIC HEARING

UNFIT DWELLINGS - 527 SOUTH BLOODWORTH STREET - TO BE PLACED ON JUNE 19 AGENDA; 121 SOUTH BOYLAN AVENUE - WITHDRAWN

This was a hearing to consider adoption of a ordinance finding the following dwellings unfit and directing that they be placarded to prohibit their use and/or occupancy:

527 South Bloodworth Street - Ms. Bessie Thomas Cheek, Property Owner. Housing Inspection Administrator Bartholomew indicated he received a call from the property owner earlier today indicating the property owner had talked to the Community Development Department and he understands that department is trying to work out a package for the family. He indicated this is a elderly lady and he feels that something can be worked out, pointing out he would suggest that this be referred to a committee or he could bring it back at the next meeting. Without objection, it was agreed to place this on the June 19 Agenda for further consideration.

121 South Boylan Avenue - Charles W. Holland, Property Owner. Housing Inspection Supervisor Bartholomew requested this item be withdrawn from the Agenda as repairs have been made. Mr. Calloway moved that 121 South Boylan Avenue be removed with no action taken. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SIDEWALK AR-201 - NORTH HILLS DRIVE - HEARING - CONFIRMING RESOLUTION ADOPTED; ASSESSMENT AGAINST LOT NO. 13 - REFERRED TO PUBLIC WORKS COMMITTEE

This was a hearing to consider adoption of a resolution confirming charges outlined in Resolution 1984-512 adopted on May 3, 1984 covering the installation of sidewalks on North Hills Drive (AR-201). George Aman, Route 5, Box 263, Clinton, North Carolina, indicated he owns Lot No. 13, according to the assessment roll map, on North Hills Drive. He indicated he has a letter from the Greenway planner saying that the property is limited as to use because of the flood plain. He pointed out the tax evaluation on the property is around $1,000 and the assessment is $1,600. Brief discussion took place with Mr. Aman pointing out there is practically no value to the property as far as a buildable lot is concerned, questioning if there could be some relief. City Manager Benton suggested that the Council just let the matter take its course. Ms. Babb moved adoption of a resolution confirming the charges as outlined. Her motion as seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted and the roll confirmed at 7:50 p.m. See Resolution 548.

Later in the meeting, Ms. Block indicated if the property value is less then the tax value, that maybe the City could accept the property in exchange for the assessment rather than having it going through the change of title, etc. Discussion took place on the policy question after which it was agreed to refer this matter to the Public Works Committee. It was pointed out the Council had already confirmed the assessment roll with Mr. Walters indicating if the Public Works Committee wants to change it then the Council could amend the confirmation of the assessment roll or amend the assessment roll. No further action was taken.

SIDEWALK AR-202 - LEESVILLE ROAD - HEARING - CONFIRMING RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming the charges for Sidewalk AR-202 according to charges outlined in the Resolution 1984-513 adopted on May 3, 1984 for installation of sidewalks on the east side of Leesville Road. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Walters moved adoption of the confirmation resolution as outlined. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted and the roll confirmed at 7:52 p.m. See Resolution 548.

SIDEWALK AR-200 - WADE AVENUE - HEARING - CONFIRMING RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges outlined in Sidewalk Assessment 200 according to charges outlined in Resolution 1984-501 adopted on April 17, 1984. This is for the installation of sidewalks on the south side of Wade Avenue. Chief Engineer Thomas explained the project. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Congleton moved adoption of a resolution confirming charges as outlined. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative and the roll confirmed at 7:53 p.m.

RESOLUTION NO. (1984) 548

RESOLUTION CONFIRMING CITY OF RALEIGH SPECIAL SIDEWALK ASSESSMENT ROLL

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment rolls hereinafter referred to, and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to public legal advertising and following a public hearing on the allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the 5th day of June, 1984, at the time and place fixed in accordance with Statute, the City

Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution Nos. (1984) 512, 513 and 501 adopted on the 3rd day of May, 1984, and 17th day of April, 1984, which assessments appear on "The City of Raleigh Special Sidewalk Assessment Roll Nos. AR-201, 202 and 200", against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment rolls which are hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of the resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed, as provided by Statute.

Section 3. That the amount of the assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessment in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls, payable annually upon the unpaid balance of the assessment rolls.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

BUDGET FY '84-'85 - HEARING - REFERRED TO JUNE 7 COUNCIL MEETING

This was a hearing to receive public input on the proposed 1984-1985 budget including the use of general revenue sharing funds. Utilizing charts and graphs, Assistant City Manager Wray explained the FY '84-'85 operating budget as it relates to revenue, expenditures, allocation of general revenue sharing funds, and the Capital Budget. The Mayor opened the hearing to the public.

Beth MacAllister, Dr. Dunlap, Linda Brewer and Charlotte Ferrell spoke in support of Hospice. They explained the work of Hospice and how it had helped in their professional as well as personal lines. Dr. Dunlap indicated since he had started practice, he had seen three major breakthroughs in cancer treatment, one is the CAT scan, the second is new drugs and the third is Hospice care and he feels that is a vital service in this community. They asked the Council to consider funding their full request for Hospice.

Howard Miller and Miker Reeder, representing Haven House, called on the Council to fund Haven House request. Mr. Reeder indicated the $15,000 request will represent about 20% of their operating cost. He stated 82% of the youth they service are Raleigh residents. They presented Council Members with information on their program, pointing out they now have a waiting list that is double their capacity. He stated if they do not get the funds requested from the City of Raleigh they fear they will have to close one of their houses. Mr. Reeder introduced the officers of Haven House, Inc.

Eric Sifford and Edwina White Thompson were at the meeting requesting City Council approval of the request of DHIC. Mr. _____ asked Council Members to come by DHIC and look at the work that they have been carrying on. He expressed appreciation to the City Manager for his recommendation, but pointed out the Manager did not recommend their total request which is $82,320. He indicated the single-family home program will be impacted most by this cut as they will have to charge a little more for each house if they do not get the full funding. He briefly explained DHIC, the market they serve, and work they have done in community. He talked about the single-family program as well as the renovation program and pointed out this is a local program that he feels the City should be real proud of. He stated they have 106 families that are on the waiting list that they would like to be able to serve. Ms. Thompson, Chairperson of DHIC, indicated the Board unanimously supports Mr. Sifford's request. She stated the need to build affordable housing in Raleigh is an important issue and they are trying to provide affordable houses and she was at the meeting to ask the Council to support DHIC with the additional funds.

Sandra Johnson, representing the Women's Center, briefly explained the work of the program pointing out last year they had 10,500 client contacts, 78% of which were from the City of Raleigh. She stated they had just recently moved to East Jones Street and they are hopeful that their move will allow them to reach other sections of the City. She indicated last year employee issues seem to be the biggest problem they saw and the career related clientele has doubled. She explained work they have done in the employment area such as seminars, job listings, career development, interview techniques, etc. She indicated they began a new program last year which was to help train people in job skills and place them in social service agencies such as Drug Action, Family Action, Hospice, etc. She stated they serve many low-income women and others that seem to "fall through the crack" as it relates to help from other agencies. She asked the Council to consider their full request.

Julie Fair and eight other persons were at the meeting indicating they were representing Hopeline. She explained they had requests that the Council support be increased to $3,000 pointing out at one time they were funding at $2,500. She stated

their costs have increased some 30% this year and volunteers are handling the load. She stated, however, they must have adequate staff support to train the volunteers. She explained the type of work they do, pointing out on May 12, they got a call from a man with a loaded gun who was ready to shoot himself. She stated the Hopeline volunteer was able to get the address, get the police dispatcher on the line and get the man to unload and drop the gun so that when the police got there, the man let the police in the door. She indicated this made it much easier for the Raleigh Police Department, which is one of the best, to enter into the situation rather than having to face the situation of a man behind a locked door with a gun. She pointed out it costs some $35,000 to train a new police officer and put him on the street and she feels anything they can do to help the situation is good.

Greg Malhoit, representing East Central Legal Services, was at the meeting pointing out they have served over the 15,000 City residents over the past years in disability employment, child custody, consumer needs, etc. He indicated they handle anything that is not a criminal case. He pointed out East Central Legal Services, as did many other agencies, fell on hard times some years ago with Federal cuts. He stated at that time 220 Wake County lawyers volunteered to assist those that they could not serve and even with that they are still having to turn away hundreds of clients each year. He explained last year they received $10,000 worth of revenue sharing funds and $10,000 from Jobs Bill and he was at the meeting to ask the Council to fund them at the same level they funded last year, pointing out that will ensure some 200 clients of being served. He indicated we hear much talk about the social, safety net and in his opinion, Legal Services is the safety net of safety nets and he would hope that the Council would consider increasing their allocation to the same level of last year - $20,000.

John Chevault, representing Meals on Wheels, indicated he was at the meeting asking for an increase in two areas. He stated first of all in revenue sharing they are presently serving 44 people within the confines of Raleigh and they serve 261 meals daily and 30 bag suppers at a total cost of $32,247. He stated as far as the community development area is concerned they serve 30 people on a daily basis and provide 20 bag suppers. He indicated the County has been given emergency funds which allow them to operate the total year. He indicated they were at the meeting to ask for an increase in these funds that would help them get through the total fiscal year July 1 through June 30. Sally Cameron, a volunteer with Meals on Wheels, also spoke to the work of the program pointing out this program primarily enables people to remain independent in their own homes and she would urge the Council to continue its support of Meals on Wheels. Five persons stood in support of the remarks.

Brandy Rogers, representing the Golden Oaks Program at the Hargett Street YMCA, explained the program, pointing out they serve the CD area and many of these people have health problems. She explained the Golden Oaks Program is a physical exercise program, educational program and they serve a hot, well-balanced meal. She indicated they requested $15,000 and $7,000 of this goes to the salaries of the Director and Assistant Director.

Several persons were at the meeting representing Planned Parenthood. They explained that they are at the meeting asking for the continued support of the City for Planned Parenthood which has been active since 1980. She stated they have a strong and committed Board of Directors and operate a clinic that provides general care, but the clinic is self-sustaining. She pointed out 98% of their clients are from Raleigh and represent people between the ages of 10-52. She stated it is not an abortion facility or a sterilization facility. They provide education programs to those who want the program. She pointed out they work with parents and the children and try to provide the right information and answers. She explained in Wake County, in recent years, she had to set before a mother and her 10-year daughter and tell the daughter she was four months pregnant. She asked the Council to help them to continue the program of providing the right information to the people involved.

Virginia Beaman, representing Drug Action, indicated they are asking for an increase of $8,000 to help them face the challenge in Wake County. She stated they had not had an increase in allocation in four years. She pointed out 60% of their clients are from Raleigh and with the increase the City would be paying only 5% of the total Drug Action budget. She explained that they feel that their work helps reduce the crime rate in the area and they need an increase to handle the work load and in addition they hope to keep their paid salary people competitive. She stated their operating costs are increasing and with the continued decrease in Federal funds, they must have an increase at local level. She indicated, in her opinion, their program more than pays its way in helping the community become a safer place to live.

A representative of Family Prevention Center indicated they have been working very closely with other organizations and in-service training, etc. She indicated they have 75 volunteers who work three hours weekly in order to serve the more than 1,000 people who contact them each year. She explained that some of their funds come from churches and private organizations and one-third of their funding is provided by United Way. She indicated in January, Family Violence and Rape Crisis Center merged and they do need the total allocation as requested and asked the Council to consider their request favorable.

John P. Green, 802 South East Street, was at the meeting representing the Raleigh Wake Citizens Association. He indicated they are very concerned about the shortage of low-income housing in the City of Raleigh. He indicated last year 2,500 persons applied to Raleigh Housing Authority and 4,600 applied under the HAP plan. Therefore, there are some 7,100 people or families in dire need of housing in the City. He indicated that no more funds will be available from the Federal government for

housing and even if the Feds decided to allocated money for housing, it would take three to four years for it to get through the pipeline. He referred to a program carried out by the City of Charlotte in which the City acquires the land and turns it over to the Housing Authority and then gives them revenue sharing funds for construction of houses. He indicated he was at the meeting to request $500,000 annually for the next three years for the construction of low-income housing in the city, pointing out the funding source could be revenue sharing or the one-half cent sales tax.

A representative of the Garner YWCA was at the meeting requesting $18,000 of equipment for the Y. He indicated they have a $441,000 budget, pointing out 32% has been raised through the United Way. He indicated they received funds from members, fees, contributions, foundations, and special events. He explained they are presently in the first phase of construction of the new facility pointing out the next phase will be an outdoor area, tennis court, health club, etc. He indicated they are having problems in the new facility because they had to raise the fees to help pay for the facility. He stated a grant will allow them to have a facility that will provide the basic services that are needed.

Ms. Block indicated that she had been derelict in her duties as she was suppose to remind the Raleigh Area Ministers when the budget hearing was being held and she had failed to do that. She indicated they have requested a $10,000 allocation and would have been at the meeting to support the request had she told them.

No one else asked to be heard and Mrs. Cates indicated she would like an opportunity to further review the applications from the various agencies that was submitted to the City. It was pointed out that the City Council has scheduled a special meeting on Thursday, June 7 and this item would be considered at that time.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:10 p.m.

Gail G. Smith
City Clerk

jb/al/SP8